PIONEERS of FREEDOM

SVEINBJORN JOHNSON

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An Account of the Icelanders
and the
Icelandic Free State
874-1262

BY

SVEINBJORN JOHNSON

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"The Icelandic settlement was and remains in history a protest against all the ordinary successful commonplaces of the world."

—WILLIAM PATON KER
Iceland and the Humanities

To

MY WIFE

WHO, IN SPITE OF RATHER INTIMATE ACQUAINTANCE
WITH CERTAIN VIKING TRAITS, HAS GENEROUSLY HELPED WITH INVALUABLE
COUNSEL AND SYMPATHY

Introduction

IN June, 1930, the thousandth anniversary of the founding of the Althing, or Parliament, of Iceland, will be celebrated by appropriate exercises on the ancient site where that body regularly convened for approximately nine hundred years. Official invitations from the Icelandic Government to participate have been sent to and accepted by the governments of the principal nations of the world, including the United States.

This event has roused wide interest in the people who founded the Icelandic Commonwealth in the tenth century, one of whose citizens, Leif Eiriksson, was the first white discoverer of America. It seems appropriate to give the English reader an opportunity to become acquainted with the people and with the governmental institutions which they founded and maintained intact for over three centuries. While the rest of Europe was largely in the grip of absolute power and centralized monarchies, Iceland maintained a government strikingly free and responsive to the popular will. Without a king or emperor, with no one in whom was lodged a prerogative corresponding to that of the kingship, this isolated island was perfecting popular institutions while most of contemporary Europe was drifting towards despotism. Under the influence of civil and political liberty there flourished a legal system which in excellence rivaled that of Rome; and during the same period a literature blossomed which has been said to contain some of the finest creations of the human mind.

I have also been moved to attempt a task in a sense outside my profession by impatience in the presence of smug indifference, or inadvertent misinformation concerning the Vikings, their modes of life, their character and their philosophy. They were neither saints nor devils; they were human beings whose character was harsh and unlovely in some, and calculated to inspire respect in other of its aspects. I have endeavored to set down the facts from which my conclusions are drawn. The special pleader, whether, in law or in letters, is a dangerous phenomenon; yet the temptation to become a hero worshiper is sometimes almost irresistible. This I have tried to avoid. Bias in a historian is as bad for history as the mixing of editorial notions with the current news is for the forming of sound public opinion. The unwary reader, in either case, absorbs prejudice when he innocently thinks he is reading an honest record of facts.

A recent example of scholarly error in this regard lies on my desk. In the *History of the Pictish Nation,* published in 1918, Archibald B. Scott describes the Vikings as savages of the "most unrestrained type"; says that as soldiers they were no match "for the agile and nimble-witted Celts—Picts, Britons, or Scots"; and intimates that the fact that the Picts mutilated the dead bodies of their enemies was due to the example set by the Vikings. Being nimble of wit, it was an easy matter for them to imitate the Norsemen in this dainty detail of savage warfare. Seemingly, the pupils were apt.

It is unfortunate that a very interesting and scholarly contribution should, in spots, be marred by feeling which obviously has had but little intimate association with certain historical facts, or the truly historical spirit. That the Vikings were guilty of mutilation in sporadic instances, no honest person doubts or denies; but it is equally certain that mutilation was not a usual and ordinary characteristic of their style of warfare. From time immemorial there was a law in Norway proscribing the practice—evidence that the Vikings had been known to do it, but also the best proof that the practice was condemned by the customary sentiment of the period.

If the answer to the question whether a given people shall be called savage or civilized turns upon the presence or absence of evidence of instances of mutilation in time of war, I fear we shall have to revise the commonly accepted definitions of these terms. The Massacre of St. Bartholomew was sanctioned by the French king; and Pope Gregory the Thirteenth ordered bonfires to be kindled and a medal struck in manifestation of his approval. About fifty thousand people in France were killed, and some fearfully mutilated, between August 24 and October 3, 1572. Shall we characterize the entire Catholic population of France as "unrestrained savages"? The Scottish Covenanters were hunted like wild beasts and killed by the hundreds, the killers sometimes playing football with the heads of the victims. Shall we say that the Scotch, and others who joined in the enterprise, were "unrestrained savages"? I answer that all such acts are unspeakably savage; but I insist that they are no less so because committed by Frenchmen in the sixteenth century, or by Scotchmen and Englishmen in the seventeenth century, than when perpetrated by the Vikings—who had never heard of Christianity—in the eighth or ninth century.

It is a demonstrable fact that a certain amount of mutilation is and, more often than not, has been the inevitable concomitant of war. War is the business of killing. In those days the killing was done at short range in hand to hand encounters. There was no long range, dispassionate execution. When the passions have been sufficiently excited so that one man wilfully runs his sword or spear through another, intelligent men are not surprised if, before the attendant fury has subsided, the quivering body of the fallen foe be slashed and cut needlessly. Mutilation, moreover, is an individual act which the best discipline cannot wholly stamp out or prevent.

Nor is it historically true, as is intimated by Mr. Scott, that the Vikings "massacred" defenseless men and decrepit persons of either sex. They fought fiercely and they cheerfully killed in battle, but disdained every form of meanness and cowardice.

In 839, the author tells us, the Vikings appeared in the "centre of Pictland," routing the local sovereign and establishing themselves as masters; by 866 Olaf the Fair, a Viking, was king of Dublin and laid waste the "whole . . . country of the Picts," while his son Thorstein the Red conquered Caithness, Ross and northern half of Alba, and Haldane was victorious over northern England. The Vikings extended their power far and wide. When we recall that they came from their northern homes in rude vessels, over hundreds of miles of uncharted seas, and yet fought and conquered the Picts on their native heaths, to say that "man for man" the Vikings were no match for the former is an assertion which makes credulity itself rub its eyes and blink in questioning astonishment.

To characterize their war with the natives as "murder," "butchery," and the like, does not alter history, or conduce to clarity of thinking on the subject. The plain truth is that it was war, war in the modes usual and customary in the period. The fact that Christians were the unfortunate victims of defeat was an incident merely, but has little bearing on the point. Christians were ready to bear arms against the unconverted and slay them with extravagant abandon when baptism was refused. The score is quite even; every cruelty of the Viking marauders can be matched by an atrocity committed in the name of religion by others whose descendants now preen themselves as the sons of civilized and cultivated ancestors. It is not necessary to condone anything from that rough and bloody age, but the interests of accurate historical writing demand that we bear in mind that the Christian label, in that period, was no guaranty of kindness, humanity, or justice.

It has been my object in writing the following chapters to put before the reader, in brief review, the character of the country and of the people, the nature of the government and the public institutions under which the people lived, the general features of their legal system, their social and economic circumstances, and their religious, political and home life during the period of the Icelandic Commonwealth. The time covered is comparatively short, namely: from the settlement of the island, in 874, until the time when the country united with Norway, in 1262-64, less than four hundred years. The period is relatively brief, when we think of the vast expanse of human history, but it is twice as long as the existence of the American Government, as organized at the present time, and longer, indeed, than this continent has been settled by white men. During the régime of the Commonwealth there were put to trial legal and governmental principles in some respects almost identical with certain theories which underlie our system. The government collapsed because of elementary defects, and the principal cause of failure is of interest today because it was that very spirit of lawlessness which President Hoover justly deprecates in our own country. The story of this experiment in liberty, carried on in far off Iceland, has elements of interest to every person who cares to know something about the stages through which human society has passed in its supposed progress towards better things.

My sole object has been to interest the ordinary reader; I had no intention to delve into technical and complicated or controversial matters. That work would be of interest to the legal scholar and the historian of human institutions. A series of lectures, delivered about twenty-five years ago in the Icelandic language by a historian of note, Jon Jonsson, who had conducted extensive research under a subsidy from the government of Iceland, is the basis of several, but not all, chapters of this book. I shall not quarrel with any critic who may be disposed to point out that any merit my book has should be credited to this scholar rather than to me. There are chapters, and parts of chapters, dealing with subjects he does not mention, for which I accept full responsibility. I have consulted many sources not touched by Jonsson. I have, of course, read all the Sagas; they were the delight of my youth and they have furnished satisfying thrills in later years. I am fully satisfied that the conclusions are sound and may be supported upon reasonable and satisfactory grounds.

The drawings in the book are made from the originals of Thorarinn Thorlaksson, as reproduced in Jonsson's lectures.

It is a privilege to acknowledge my indebtedness to Dr. H. Hermansson of Cornell University, who read chapters two to four, to Dr. L. M. Larson, Head of the Department of History of the University of Illinois, who read chapters five, ten, eleven, twelve, thirteen, fourteen, and appendix C, and to Dr. George T. Flom, Professor of Scandinavian Languages and English Philology at the University of Illinois, who read chapters six, seven and eight, all distinguished scholars in this field. Their suggestions and criticisms have been very helpful.

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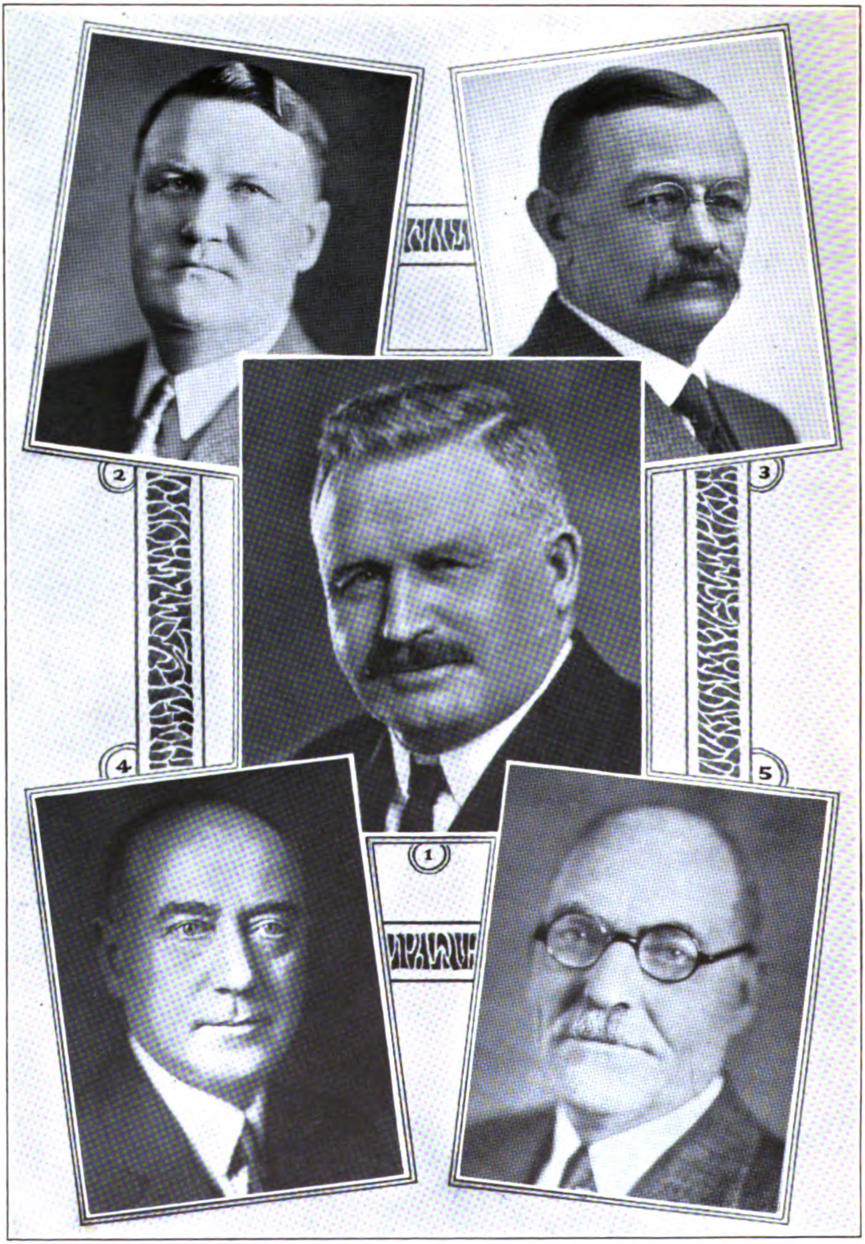


American Representatives to Icelandic Millennial, 1930

1. Senator Peter Norbeck, Chairman; 2. Congressman O. B. Burtness; 3. O. P. B. Jacobson; 4. Sveinbjorn Johnson; 5. Fred H. Fljozdal.

PIONEERS *of* FREEDOM

CHAPTER I

800; 930; 1930

IT is the year 799; the scene is the German Forest at Paderborn. Two men, famous in history, "take to the woods," put their heads together and concoct a plan destined to shape the course of European civilization for a thousand years. In this sylvan retreat Charlemagne and Pope Leo III, in a few hours' time, settled a problem which has confounded legal and political philosophers in modern times. From thence on the sanction of law—that quality which impels obedience on the part of the individual—was nothing more or less than the will of God, made known through the Head of the Church at Rome and by him communicated to the rulers in the state, from Emperor down. With benefit of clergy a partnership between the sacred and the secular authority was born, with the latter as the junior member in the enterprise. From this morganatic mesalliance of religion and politics came the principle that the papal interpretation of the divine mandates must be executed exactly as given to the civil power. Upon the consummation of this scheme, shortly to take place, the law became legitimate in origin and infallible in content.

On Christmas day of the year 800—actually the first day of the new year—in the Apostolic Church at Rome, Carolus achieved his long cherished ambition, and, "crowned of God," officially entered that sanctified conspiracy—an example soon to be followed throughout Europe—which by necessary implication excluded the common man from participation in the government, or in any of the processes of lawmaking.

It is the year 930; the scene is a beautiful plain in Iceland. The actors are men, and sons of men, who had fled from Norway, Ireland, Scotland and from Normandy, rather than bow in silent submission to the principle of the absolute right of kings to rule, and the superhuman origin and consequent infallibility of all civil law. They are planning and perfecting a legal system whose sanction shall be the general feeling that truth, justice, and the national consciousness concerning both, are the true fountain from which flows the great stream of human law.

It is June, 1929; the scene is the Congress of the United States at Washington, and the actors are the lawmakers of America, representing and speaking for the American people in making the law for the first great experiment in republican government in modern times. This august body have just passed a resolution requesting the President "to accept the invitation of the Legislative Assembly of Iceland to the Government of the United States of America to appoint official representatives . . . to take part in . . . the celebration of the one thousandth anniversary of the Althing . . . and to procure a suitable statue or other memorial of Leif Ericsson," and thus in 1930 honor a pioneer of freedom in the first years of the tenth century.

The American Republic, itself a recent pioneer in political liberty, where, in theory, the sanction of law is the national consciousness that its substance is reasonable and its origin constitutional, thus justly pays its respects to

Johannes Johannesson, President Icelandic Millennial Celebration Committee

Iceland. With the rise of the Commonwealth and the founding of the Althing, or Parliament, in 930, there began in this misnamed island of the far North a Golden Age of literary, political and legal development upon the doctrine that law derived its sanction from exactly the same source. America fitly participates in a real millennium of human freedom.

CHAPTER II

Origins; Land and People

UNTOLD centuries ago, before man appeared upon the scene, a wide stretch of land lay across the Atlantic, connecting Scotland and Greenland with the American continent. In the mild climate of the polar regions beautiful forests clothed hill and dale in garments of tropical splendor. Omnifarious fir and balsam overspread the land, and parasitic vines covered the tree trunks with treacherous beauty. Enormous pines here and there rose high above the weald, like giants doing sentinel duty for smaller brethren. But Nature is not easily understood. New life appears, only to be destroyed in a moment. Centuries may pay a toll of patience in order to enrobe her in symmetry and elegance; but a quake, a storm, a mountain vomiting fire, and in their place are ugliness and ruin.

Fires lingered in the subterranean depths; now and then great eruptions took place, spreading devastation on every hand. Ashes and burning embers fell upon the forests until all was aflame, and lakes of lava rested, like shrouds, upon the face of Nature. The ocean itself yielded to the mighty forces; its bottom rose, and old coast lines were obliterated. During these cataclysmic events, under the devastating influence of fire and of flood, immense fragments of land were loosened from their ancient connection, and sunk into the sea. In time, when these processes had run their ruinous course, the island now called

Iceland was left standing alone in a trackless wilderness of brine.

Iceland is, in fact, but a continuation of the British Isles; it is the high point of the same submarine ridge which lies from the southeast to the northwest across the North Atlantic Ocean. The actual depth of the sea over this elevation is about 1,500 to 2,000 feet, whereas on either side soundings indicate a depth of approximately 12,000 feet. Geologists are of the opinion that Greenland and the British Isles were connected by land in the Cenozoic Age. Fossils of the same tertiary origin are found in Iceland, Greenland, Scotland, and the Faroe Islands. The deposits in which these relics lie preserved are associated with great strata of volcanic rocks. As a result of upheavals in early ages, probably during the tertiary period, this island, larger than Indiana, nearly 40,000 square miles in extent, with an area greater than the combined areas of Massachusetts, Rhode Island, Connecticut, Maryland, Vermont, and Delaware, the largest in Europe after Great Britain, remained isolated in the Atlantic, about 450 miles from Cape Wrath on the northwest coast of Scotland.

A correct knowledge of the climate and temperature of Iceland can best be gained by specific comparisons. In the Annual Report of the Smithsonian Institution, 1906, at page 275, we find the climate of Iceland described as follows:

> "It is as rational to call this island Iceland as it is to call an ice sheet measuring several hundred thousand square miles Greenland. Iceland is not a bleak, arctic region, embedded in thick-ribbed ice, though its northmost peninsula, Rifstangi, projects about a mile north of the Arctic Circle. Situate between 63 degrees 24 minutes and 66 degrees 33 minutes north latitude, yet its thermic

anomaly is such, owing to the Gulf Stream, that the mean temperature of the month of January at Stykkisholm, on the west coast of Iceland, is 34.5 degrees F. higher than it should be in that latitude. It is surprising that January at Reykjavik is milder by 1½ degrees than at Milano, North Italy, or one degree F. milder than at Munich on 48 degrees 9 minutes north latitude, *i.e.,* 3½ degrees farther south than London (51 degrees 33 minutes north latitude), while the mean annual for the same place is but one degree less than at St. Johns, 16 degrees farther south, namely, 39½ degrees F., or as much as that of parts of Asia situate over 17 degrees (over 1,000 miles) farther south. Grimsey, off North Iceland, cut in two halves by the Arctic Circle, is 5 degrees F. warmer in January than Stockholm. The coolness of the summer, however, reduces the annual mean. The mean temperature of summer at Reykjavik is only 53 degrees F. (July, 59.2 degrees F.). The sea round the south, west, and east coasts of Iceland is never less than 41 degrees F., while on the north coast the nearness of polar ice drifting down from Greenland occasionally, every four or five years, causes a fall in temperature.

"It will thus be seen that Iceland has a temperate climate, while the clearness of its atmosphere rivals that of Italy. 'A medium of matchless purity,' this combination of sea and mountain air has been well called, and it is most bracing and exhilarating—'like drinking champagne,' an English traveler says in her book on Iceland. It is freer from microbes than the air of any part of Europe, and, according to the researches of Dr. W. L. Brown, the blood of an Icelander does, on an average, contain more hemoglobin than that of other inhabitants of Europe."

After Iceland was detached from the mainland of the continent a new age in creation set in. The climate became steadily colder; the flora and fauna of the country gradually disappeared until all living things were extinct. Perhaps the seeds of life lay dormant in the cold of endless winter; perhaps they drifted in from other lands, carried by ocean currents, or by birds. The country was an ice mountain, resembling an enormous iceberg anchored in mid-ocean. In this condition the island remained for ages until gradually another era opened.

The climate changed again; the gigantic ice mountains, their gleaming peaks piercing the sky, melted before the warming sun, and life was born anew. Conditions were not the same as before the Ice Age. Where formerly tropical trees had flourished, now nothing but grass, coarse shrubs and rowan trees grew. In time the new vegetation, responding to the change in climate and environment, attained substantial growth. As ages rolled by the land was clothed in garments of green and luxuriant vegetation. Grass covered the gravel hills, and flourishing birches spread their bright branches over the mountain sides and into the valleys; while in the interior ice hills lifted their scintillating heads into the clouds. Now and again the land trembled; and there were rumblings and reverberations in the bowels of numerous volcanoes. Then followed a stillness over all, deathlike but for the murmur of the forest and the babble of running brooks. Such was Iceland, for unnumbered centuries, until man came in the latter part of the ninth century, A.D.

It is, of course, unfortunate, that the island bears the name of Iceland. Indeed, there is but one other example of such a grievous misnomer. Greenland owes the fact that its name gives a false impression respecting its climate and its character to the shrewd foresight of Eric the Red, who, with the instinct of the modern development agent, called the country Greenland in the hope that it would seem more attractive to prospective settlers.

Pope's impatient exclamation—

"Wits, just like fools, at war about a name,
Have full as oft no meaning, or the same"—

may not be without its grain of wisdom, but the manner in which Iceland came by its chilly misnomer is an interesting study in the part which lawless chance plays in human affairs.

The first discoverers of the island were leaving for Norway without giving it a name, when they suddenly noticed snow falling on the mountains, whereupon they promptly named it Snowland. Later, a Swede, called Gardar—there is a little village in the Icelandic settlement in North Dakota by that name—had a mother of some renown as a seeress. Acting on her advice, Gardar set forth in search of Snowland. Presently, he found the island, wintered, and returned the next year with glowing accounts of its attractions. From then on it was called Gardarsholm, which means Gardar's island.

A great Viking, named Floki Valgardsson, sailed from Norway in search of Snowland, or Gardarsholm. He had no compass, of course, but took with him three crows which proved as useful as the doves to Noah. Being uncertain where to go after he left the Faroes, he loosed a crow. Two in succession returned to the ship, but the third struck a straight course for the island Floki had set out to find. This battle-scarred veteran of many a marauding expedition became so absorbed in fishing that he forgot about harvesting hay for his stock. As a result, all his animals perished during the winter. He went northward on the island and found one of the fjords blocked with arctic ice. Here was his inspiration. Floki named the country Iceland, and the appellation has stuck for nearly eleven hundred years. This dyspeptic old warrior then returned to Norway with a most dour report concerning

White River Water, and Glacier (Jokull)

Iceland. The responsibility for the name must be divided between the fish and the polar ice, for had Floki not neglected to provide for his stock, he would probably not have been soured by the winter hardships.

One of Floki's shipmates had a different impression. He reported that every blade of grass was bedewed with butter. Thus the island narrowly escaped being named Butterland. The people have an excellent reason to be grateful to Floki, after all, for to be called a Butterlander is even less romantic than to be just plain Icelander.

The settlement of Iceland was mainly the result of the revolution in Norway under the leadership of Harald the Fairhaired. Movement of the people of Norway towards the west had set in earlier, but the real impetus came from the campaigns of this young prince. At the time of the advent of this ambitious and able monarch, Norway, like England prior to the victories of Alfred the Great, was a collection of petty kingdoms, each principality being independent of and separate from its neighbor. Over them were rulers who, more or less successfully, imitated the strut and pomp of kings. The backbone of the country, however, was the numerous middle class of yeoman-farmers. They were independent heads of families, who lived on the allodial land which belonged to the family and descended from man to man. They were largely supreme within the jurisdiction of the family estate. The wealthy and more powerful among them frequently set themselves up as equals of minor kings, for often the latter had little claim to superiority beyond the royal title. After the middle of the ninth century, however, the fair-haired Harald, the Alfred the Great of the North, took it into his head to subjugate the entire population of Norway and consolidate the small kingdoms under his personal rule.

Until the advent of Harald, the king was lord of the people only; he was not overlord of the soil. The land was possessed by free *odalsmen* who held it in allodial tenure—to some extent inalienable, a condition resulting from unbroken succession through three or more generations, or uninterrupted possession for at least thirty years, according to the evidence of early Scandinavian law. The Scandinavian holders of the *odal,* or allodial lands, regarded Harald's attempt to make himself lord of the soil, as well as of the people, an act of the greatest usurpation and tyranny. In the light of customary law it was an act of confiscation, a disregard of the ancient laws of their Scandinavian forbears. The policy of King Harald did not, perhaps, at all points parallel the situation in feudal England, after the conquest; yet it possessed resemblances so striking as to indicate that human nature, grasping for power, is very much the same, thinks in like channels, and resorts to like expedients to accomplish its ends the world over.

If Harald understood the character of his people, which doubtless he did, he must be credited with no ordinary courage. The Scandinavians of his age did not enjoy a reputation for meekness. They were not in the habit of quietly submitting while another despoiled them of their ancient hereditary rights. They did not supinely yield in this instance. They rebelled vigorously against and resisted energetically the ambitious schemes of this young man, who, according to legend, was moved to the statesmanlike resolution of conquering Norway by the refusal of a fair damsel to wed him until he was king over all. Resistance to his efforts to unify Norway was long and severe, but in the end he won. From 860 to 872 he struggled with liberty-loving yeomen who preferred exile or death to submission; and it turned out, too often, that submission and surrender meant death, or worse.

The victory of Harald resulted in fundamental changes. Not only was there a new ruler, but there was substituted for the old order a new relationship between the king and his subjects. The power of the monarchy grew to irresistible proportions, and the yeomen were forced to accept such terms as the king chose to offer. The conditions were not mild or the terms easy. It was not enough that the independence of the old kingdoms was extinguished; subservient earls and lords took the places of petty kings; and Harald repudiated the allodial rights of the yeomen by demanding rent and fees from all landowners, based upon the holding or control of the land. He virtually set himself up as a universal landowner and landlord, entitled to collect such charges from his tenants as he saw fit. Plainly, this was a blow at the foundations of society as it had been constituted prior to the consolidation.

In one of the most authentic stories of the North, the *Heimskringla* of Snorri, it is said that this king was very severe in his relations with the wealthy yeomen and all those from whom resistance or rebellion might be feared. These recalcitrants he put to the choice of joining his court, leaving the country, or of complying with most burdensome conditions, if they remained.

The same historian says that King Harald appropriated all the land, both occupied and unoccupied; and, even claimed the sea and waters. The yeomen were regarded by him as tenants; they owed him complete allegiance. The author of *Heimskringla* tells us that these oppressive measures forced many to leave the country. New settlements were, accordingly, formed elsewhere; Iceland was discovered and settled; and this remote island, a lone remainder of a lost continent, became the abiding place of liberty in its last stand against the encroachments of centralized and arbitrary power.

This brief sketch of the situation, created through the activities of Harald the Fairhaired, suggests the character of the people who left Norway and became the pioneer inhabitants of Iceland. They were principally well-to-do yeomen, and those whom the king suspected of a disposition to rebel against his authority. That is to say, the assertion is historically accurate that those who fled from Norway were the most energetic and high-spirited element of the population. They were not only men of noble birth, of means and material substance; they were genuine lovers of liberty who could not brook the idea of living in political subserviency to any king. So many left the country that Harald deemed it expedient to check the flood by imposing an emigration tax. That this was an act of futility is rather obvious from the chronicles of the period. Those who had decided to leave Norway were not to be deterred by fiat assessments. The Vikings, like some capable business men today, were not without skill in frustrating the efforts of the state to tax them.

When the stream of emigration started from Norway it did not at first set its course in the direction of Iceland, but towards other places with which the Scandinavians had become acquainted on Viking excursions. They went to Ireland, Scotland, Normandy, and the adjacent islands in the Atlantic Ocean. Those who left Norway knew that their countrymen had gained a foothold in many places before the upheaval at home, and that Vikings, on foraging expeditions, had frequently touched upon the shores of Ireland and Scotland, leaving terror and destruction in

Literally, the Westmen Island. Here some Irish were killed in the settlement period. Men from the British Isles, especially Ireland, were called Westmen. Off southwest coast of Iceland.

their path. The emigrants from Norway, accordingly, set sail for Ireland and Scotland where they pillaged and plundered after the manner of the sea rovers of other years.

Most of these countries were so near Norway that an occasional journey back to the land of their nativity to harass King Harald and his subjects was a convenient and soul-satisfying possibility. Reprisals against Norway became so frequent and annoying that Harald was forced to act. He organized an expedition against the marauders, sending his fleet west over the Atlantic where he subjugated some of the islands and drove out the Vikings. From their island homes they fled and sought refuge with Thorstein the Red who had conquered a part of Scotland. The reign of this bold and blond Scandinavian was short-lived; the Scotch betrayed and killed him about the year 888. Thereafter the Vikings had no place where they could live in peace and security during such intervals as they might desire respite from warlike pursuits. It must be admitted that they soon wore out their welcome where they visited in the Viking Age. Their name was anathema; princes and people alike feared their dauntless spirit. In steadily increasing numbers they directed their course towards Iceland. So general was the exodus that large communities were built up in a few months or a few seasons. Settlers came directly from Norway and from the islands from which they had been driven as a result of the naval demonstration of King Harald.

The period of the settlement of Iceland comes to an end about the year 930. Many of the original settlers had lived for years on some of the British Isles, or on the islands not far from the British coast. They had had extensive business and social relations with the Celts, with the people of Scotland, and with the English. These contacts were of mutual advantage and educational value; and frequently intermarriages took place, cementing friendships and uniting families in the strongest of all bonds. It is, therefore, an authenticated fact that the pioneers of Iceland were not all of purely Scandinavian stock; there was a considerable admixture of Celtic, Scotch and other blood. Of course, the main stream came from Norway.

It is impossible to estimate with accuracy what percentage of the original settlers were not of Norwegian origin. Some authorities maintain that forty per cent were of other than Scandinavian stock. This would seem to be excessive, but it is established beyond controversy that many of the pioneers were from Ireland and Scotland without any mixture of Scandinavian blood; that others who were of purely Norwegian stock brought with them as their wives women of Scotch and Celtic birth; and that men of the latter races, who served as slaves in their households, became permanent residents, but were freed after the island had become settled, and remained influential and respected citizens of the new republic. A glow of real romance is sometimes given the Sagas in the love affair of an Irish princess and a Scandinavian warrior, in one instance a distinguished family in Iceland having been founded as a result.

Such, in brief outline, is the story of the settlement of Iceland. It is conservative to say that the sources are no less accurate than the information we have concerning the history of many other European countries during the same period. Often much that passes for history is mainly conjecture; not so here. The salient facts may be verified in nearly every important detail. The history is interesting for another reason. It is the story of a people in whose lives love of freedom and manly independence were dominating motives. Liberty has been worshiped the world over from the earliest times; yet, too often, men have been inclined to sacrifice freedom when difficulties and oppressive power pressed on the other side.

The pioneers of Iceland revered liberty, not only by rendering lip service in the security of secret chambers or private homes, but by fighting for it, and when fighting became hopeless, by moving from the ancient homesteads to a new and theretofore unknown quarter of the world where they could maintain their personal and political independence. To them lean liberty seemed better than fat slavery.

One of the primary motives of the first settlers in America was to establish their homes where the conscience would be free; the pioneers of Iceland wanted and found a place where the individual could be wholly free save for such restraints as were imposed with his own consent in the interest of the society of which he recognized himself a member. There is essentially no difference. These early Scandinavian settlers were willing to give up everything which, at that time, was most highly prized, patrimony and allodial lands, relatives, and their native country itself. It was in Iceland where liberty made its last stand against arbitrary power in the countries of the far North. On this isolated island, the only spot in hundreds of miles remaining from a vast stretch of land over which the ocean waves had rolled for unnumbered ages, these pioneers of freedom established a Republic and preserved their own liberty. At this outpost of European civilization blossomed a finely organized system of law and government, and a literature of which the world is just beginning to have a real appreciation.

The migration from Norway to Iceland meant a radical change for those who came. This was true in even a greater degree in the case of the settlers who came from Scotland and Ireland, and from the smaller islands in the western Atlantic where life, on the whole, was, perhaps, more pleasing to the senses. The Scandinavian character is founded on a strong base of seriousness. The poets of the time frequently gave expression to the solemn sentiments which the pioneers felt when they thought upon the possible consequences of the step they had taken. The crude vessels, the stretches of uncharted seas, the enormous difficulties of navigation, the severing of ancient ties, were all calculated to sober the most intrepid Viking.

The island was then, as it is now, in many respects justly described as a land of marvels. It was mild and severe, kind and harsh, grossly large, and delicately enchanting, all depending upon the standpoint from which it was viewed. It is not remarkable that various tales were brought back by travelers who visited the island in those early days. There are numerous instances in the Sagas where well-known men from Norway visited the island, during or after the period of settlement, only to return with the most diverse and discrepant views concerning the character of the country. In one instance, for example, three distinguished men, who visited the island together, disagreed strikingly; one reported very unfavorably; another, with the judicial caution of Sir Roger de Coverley, said that the country had many good and many bad points; while the third found that Iceland was flowing with milk and honey.

As time passed and the settlers became partly established and had, in some measure, overcome natural disadvantages, the reports of travelers became more uniformly flattering. Indeed, many, perhaps most, felt that the country was a rather desirable place in which to make a home. For example, one Saga tells about two citizens of Norway who resolved to go to Iceland because they had heard many complimentary accounts; that it would not be necessary to purchase stock; and that there was an abundance of fish. They went to the island and, according to the Sagas, lived in comfort and well-being. Another group of prominent Norwegians assigned as their reason for going the fact that stock could range in the open all winter, that fish were abundant in all waters, and that the luxuriant forests were free from the oppressive claims of kings and robbers.

The histories point clearly to the fact that the island was deemed to have so many advantages that prominent families in Norway were persuaded to sell fine estates and move. In addition it should be mentioned that the seal fisheries constituted an important element, and the fact that the whale was occasionally found stranded on the coast was an inducement. The problem of food was always present and often serious. When leviathan was found it meant much to the people.

In ordinary times and under normal conditions it is evident that the settlers were in possession of adequate resources to meet the demands of the simple life of that age. The wealth available on land and sea, the freedom with which persons could avail themselves of it, and the political independence of the people, all combined into a powerful magnet which drew irresistibly the best and the most enterprising elements of the population of Norway.

It should be observed that important changes have taken place in Iceland during the thousand years between the end of the settlement period and the present time. While it is true that the country is, in substantial particulars, the same as during the period of settlement, changes of more than passing importance have occurred. The climate is doubtless but little different, and the conditions of growth are practically identical. At the present time there are spots, probably large areas, which are naked, wind-swept, gravel-covered dunes and lava beds, where forests and luxuriant meadows flourished. The earliest historical sources, notably the *Islendingabok,* specifically mention forests lying between the mountains and the seashore. *Landnamabok* points to the same fact. These books are the most dependable sources of the history of the period. Other authorities, however, dependable in the main, although they may not be as worthy of credit, clearly show that the island was, in part, covered with trees which had attained a fair growth.

Let no one suppose that the lot of the pioneers of Iceland and their descendants was uniformly pleasant and devoid of hardship. Wealth and prosperity did not always blossom on the island; and life was not sustained without steady and alert industry. The pioneers suffered privations no less distressing than did their ancestors in other ages, or their descendants in the conquest of remote frontiers. The Sagas mention hard times and famine, particularly during the latter part of the tenth century. The country then suffered extremely from severe and protracted cold weather; the sea became inaccessible to the fishermen, and the ocean ceased yielding the valuable food on which the natives depended in normal times.

In the first year of the reign of Earl Hakon in Norway, beginning about 965, a fierce winter, probably the hardest in Icelandic history, held the island in an icy grip. The people were forced to eat creatures never before or since considered fit for human consumption save in the exigency of imminent starvation. Many starved to death while others, driven by the instinct of self-preservation, became thieves and highwaymen and were convicted and executed. This is merely a fleeting glimpse of the darker side of the picture of early Icelandic life, but it is enough to remind us that not all was sunshine and ease.

According to authentic accounts, Iceland was settled in about sixty years, so that thereafter for a long period there was little or no increase in the population due to immigration. It is not possible to determine with certainty the population of the island at the end of the settlement period, although an estimate may be hazarded with some assurance that it approximates accuracy. It is believed that the population, about the year 1100, was about seventy thousand. This figure is arrived at by the historian Jonsson as follows: There were in 1100 four thousand five hundred sixty who were in duty bound to pay the Althing tax. This public exaction was based upon the valuation of property, and corresponded, roughly, to the tax later when the island had united with Norway. It was not an onerous charge and bore rather lightly on the people, largely for the reason that those alone were required to pay it who chose not to attend the sessions of the Althing. Certain poor persons were exempted from the tax. It is very probable, therefore, that the great majority of the yeomen were counted in calculating this public charge so that those who did not pay, probably would not exceed two thousand. According to the census of later years there were usually seven or eight persons to a home or family; whereas, the Sagas indicate that during the period of settlement the number of persons in a home was frequently very large, justifying an estimate of approximately ten persons, on the average, to each domestic establishment. Of course, these were retainers, servants and slaves, and not all members of the householder's family.

When the settlers left their allodial lands in Norway, where their ancestors had lived for a long time, they usually took with them the high-seat posts from their former homes. These timbers were akin to heirlooms, or relics. Sometimes they were elaborately carved with the images of gods held in particularly high esteem by the family. When a prospective settler came within sight of Iceland, he cast the timbers overboard and committed them to the care of fortune or the gods to determine where the home should be built. Wherever the timbers touched shore there the immigrant fixed his new abode. The timbers were set down on each side of the high-seat in the house, or in the temple, or in that part of the house where the gods were worshiped. The temple, or altar, might be a part of the house, or a separate structure.

The custom of removing the high-seat posts and using them again as a part of the family dwelling is significant of something far different than mere superstitious awe. The true meaning is that by transplanting this virtually sacred part of the ancient dwelling the family was rooted permanently and fixed anew in the adopted country. The practice imparted a feeling of permanence, and resisted attacks of homesickness, or a wish to go back to the old home.

While the island was but sparsely settled, there was abundant choice of land; but as the settlements grew disputes arose concerning its ownership and possession. The later comers justly felt and freely said that the early arrivals had appropriated unreasonably large tracts. As a result, an agreement was eventually reached to the effect that no person should claim ownership of land of a greater area than he could cover by fires in a day with the help of his shipmates. The fires should be built while the sun was still in the east, and they must not burn longer than until evening. First one fire was built in the forenoon, then another, but not out of sight of the first, and thus on until the sun was set in the west. A different rule governed the selection of land for a woman. Her right in this respect was limited by the distance which a heifer, two years old, could cover, in the Spring, between sunsets.

Sometimes, mountains, creeks, and rivers formed the boundaries of land; otherwise, landmarks or stakes were erected, and trees were marked to help in tracing the lines. It is doubtless true that the most common way of taking possession of the land was by the use of fire, as above stated. Some of the most distinguished among the first settlers of the island thus possessed themselves of large estates. It seems that with the Scandinavians there was something sacred about fire, as was the case with many people in ancient times, and it is probable that this method of taking possession was at one time general.

There are instances where the method by fire was used in an attempt to appropriate land already in the possession of another. In one of the Sagas we are told that a well-known man, after a certain family had been killed by burning, repaired to the place, kindled a fire with a still-burning brand from the home, and proclaimed himself the owner of the land. The inference seems warranted that it was customary and permissible to appropriate unoccupied land in this manner, although it was vacant from transient causes.

Many of the original settlers took immense areas. Some seized the equivalent of several townships and claimed it as their own. Most of the leaders had large numbers of retainers and took with them from Norway twenty or thirty free men, in addition to the members of their own families. Of course, some who came with the owners of the vessel were independent heads of families and took land in their own name upon arriving in Iceland, while others were adherents or followers of the promoter of the enterprise. It resulted that large means were necessary to maintain the household. Indeed, it was common that the leading settlers simultaneously maintained several establishments in different locations on their estates. For example, Skallagrim, father of the great poet Egil, had his main abode at Borg, where he himself lived; but he had numerous other houses upon his property. Some of these outlying houses were placed with respect to the convenience of access to the sea, to other resources, or to inland rivers. The outlying homes were in the immediate charge of persons occupying a certain relation of dependence to the owner of the estate.

Large numbers of livestock were kept in order to furnish food to families and retainers. Cattle and sheep ranged over hill and dale, and their produce constituted the main source of the food supply. Owners had houses built near the mountains and adjoining the places where the stock could be fed most advantageously. Yet all the establishments were subordinate to the main residence of the owner. The latter was a sort of castle from which the lord supervised and controlled, in some degree, his agents upon the estate.

From what has been said concerning the quantity of land taken by the original settlers, it is obvious that they could not make very intensive use of all they claimed. In point of fact, much of it was distributed among friends and followers who had come with the leaders from the mother country. The Sagas contain many instances which illustrate how tracts were parceled among retainers and shipmates by the heads of certain expeditions. Furthermore, members of the family and relatives, near and distant, were beneficiaries of the appropriated land; and sometimes a portion was sold to those who arrived later.

There is nothing to indicate that those who received land in any of the foregoing modes were not the absolute owners. Occasionally a cautious person would not accept land as a gift for fear that the giver might recant. It appears, accordingly, once in a while, that an article of trivial value was given in exchange in order to impart an aspect of binding legality to the transaction. This precaution was wise because disputes sometimes grew out of such gifts. The law was that if the donee was unable to furnish proof that something of value had been delivered to the donor, the former stood in danger of serious difficulty afterwards in case the giver, or his representatives, chose to challenge or undo the transfer. In this respect the law differed from modern rules on the subject. A gift, nowadays, completed by delivery, cannot ordinarily be retrieved and the act revoked. And yet, the situation suggests the principle of consideration, or *quid pro quo,* of the modern law of contracts and conveyancing.

Originally there were no distinctions of class on the island. Although many of the pioneers were royal born, or scions of the aristocracy in their native country, and had, as a consequence, a number of people subject to their control, they became merely influential yeomen in Iceland. Others, who settled at or about the time, were, in law, equally free and independent as those who were of high rank under the ancient régime. It happened, of course, often that the former were as wealthy and came from scarcely less distinguished families.

The independent, freeholding yeomen were the backbone of the nation, as they are to this day. But within their ranks there gradually appeared a new class, a species of tenant, who, without means to acquire land in its own name, had to be content with holding it under some kind of tenure from another. While these tenants were free and independent, as a matter of law, they were really a step lower in the social scale than the owners, or large proprietors. They were less influential and had less prestige in the state than the freeholders. They were not eligible to certain offices, except by the unanimous vote of all the residents, the law requiring the ownership of a certain amount of property as a qualification. This disability appears somewhat inconsistent with the assertion that they were independent. In reality it is not, insofar as civil rights were concerned. Their political rights, however, were apparently somewhat restricted on account of their economic situation.

The Sagas often speak of leased lands and of tenants. Elaborate provisions in the laws of Iceland of this period point to the existence of a numerous tenant class. It seems probable that their numbers increased as time passed. Such is the history of most civilized communities. Landowners are mentioned who had many tenants, sometimes thirty, or more. When the estate was divided, upon the death of the owner, the oldest son received the homestead; to the younger children descended the personal property and the real property held by tenants. Although reference is frequently made to this condition, there are but few clues to the actual status of the tenant in the state. In *Gragas,* the great lawbook, there are general provisions concerning the letting of land, some of which are still a part of the law of Iceland. It appears that the terms of the tenancy depended, in the main, in each instance, upon the agreement of the parties. It is clear, at any rate, that no dues or exactions were fixed by law and collected from tenants, with the single exception of the stipulated rent of the land. In this respect the tenants of the Icelandic yeomen were in a much better situation than their brethren in other countries, who, under the feudal system, or its analogues, were under obligation to meet all sorts of dues and personal duties, which became more onerous and irksome with the years.

It has sometimes been said that the fact that the island has been sparsely settled, at least by comparison with other small European countries, was an impediment to progress. Possibly there is some truth in the assertion; nevertheless, there are certain obvious compensations. This very absence of density in the population made it impossible to reduce the tenants to the condition of abject servitude and dispirited meekness into which the peasant population of other European countries sank during the corresponding period. This class of the population of Iceland never became victims of the harsh rule of a military or semi-military caste, due, in large measure, to the character of the country, and the distribution of the people over extensive areas. There were no vast hereditary estates to oppress the common man, as was the case in England and on the continent.

It should not be supposed that the landlord had no claim upon his tenant, beyond the payment of rent, merely because the law of the land did not prescribe personal duties or obligations. The Sagas mention, as a matter of course, the fact that landlords called upon their tenants to assist in various undertakings and enterprises, sometimes industrial, sometimes of a warlike character. It is not proper to regard these instances as exceptions. Even if they be so considered, exceptions sometimes are the germs out of which a custom grows, and custom is the parent, or precursor, of the law. Indeed, there are instances from which the inference is fair that landlords were arrogant and exacting in their relations with tenants; that they gave them peremptory instructions how to manage the business, often virtually taking charge themselves. Under this system, the landowner sometimes demanded the right to cut hay, and to determine how much stock should be slaughtered for the winter. Superficially viewed, such interference appears without justification or defense, and quite inconsistent with the notion that tenants were free men.

When it is remembered that the tenants were accustomed to call upon the landlord for aid in case of need, it becomes easier to justify the interest taken by the latter in the manner in which the tenant conducted his business. Many an American banker has quite as boldly told his debtor-farmer how to farm without the excuse that if a crash came he owed a duty of support. The landlord was under certain legal duties to help his tenants in case they did not have sufficient fodder for their stock. The law provided that if a tenant were insolvent, or so situated that he had to break up his household, his yeoman-landlord was bound to see that he had sufficient means to exist until the time for moving came. If the landowner failed in this regard he was subject to a fine. The Sagas mention incidents where the owner was compelled to look after the dependents of his tenants, when the latter had left his creditor's land, or had obtained employment elsewhere. In view of this obligation it is not surprising that the landlord claimed the right to have some voice in the business. The inference is amply justified that tenants felt quite free to call upon the landlord for assistance in most any imaginable difficulty, with a clear expectation that the appeal would not be in vain.

Although the tenant class may not have been economically free—no tenant class is, was, or ever will be—its members enjoyed equal rights before the law. In this respect they were on a parity with freeholders. Otherwise their economic dependence was scarcely more pronounced than that of many a tenant farmer in America today. That the standing and prestige of the tenants in the social life of the community bore some relation to their economic circumstances, it would be useless to deny. In all civilized countries this has doubtless always, in the main, been true. It has never been wholly possible to divorce the influence and standing of man from his material situation, save in the ideal circumstances pictured by Bellamy in *Looking Backward,* and later, but less convincingly, by King Gillette, of safety-razor fame, in the *People's Corporation.* Even the hardheaded descendants of the Vikings had this common failing of mankind—if that must be called a fault which is perhaps the unconscious tribute of failure to success. Property ownership has usually been one of the avenues to prestige and power; it was so in Iceland during the Commonwealth. The other alternative is that inglorious sentiment of envy which is the base of much, though not all, that poses as reform, or passes for progressivism, but which is, in truth, a snarling inferiority complex running amuck.

In like manner a fairly clear-cut distinction was made between yeomen and cottagers. The yeomen were owners of real and personal property, whereas the cottagers owned no land, but were, by sufferance, temporarily in possession thereof. The yeomen of Iceland, during this period, are, in most fundamental respects, comparable to the yeomen of England, or to the statesmen of Westmoreland and Cumberland. Of course, the distinction was here based solely on the difference in economic conditions. The cottagers, for the most part, were ordinary laborers. They were men who did not milk their own cows, the implication of which is simply that they lived off the substance and produce of stock other than their own. Their livelihood was derived chiefly from day labor and fishing. They were not qualified to serve as jurors or judges and in that respect were in a class with those persons who were so poor that they were excused from paying the tax collected from those who did not attend the Althing. The payment of that tax was one of the main prerequisites to the enjoyment of full civil and political rights in the Icelandic community.

There still remains to be considered another class of persons, perhaps not very large, namely, the freedmen. Manumitted slaves had a distinct standing in the Commonwealth. They were not considered, in all respects, entitled to the civil and political rights of other citizens. Before the freedman's status was fully attained, an official proclamation by the local Godi was essential, for slaves, like vagrants and paupers, were without civil rights and beyond the pale of the law. The proclamation of freedom was made publicly, or in the presence of witnesses, and a part of the ceremony was an announcement by the freedman that he desired to receive civil liberty, together with a solemn oath to obey the law. If any step was overlooked the candidate for full civil rights failed to pass from bondage to freedom. Once fully free, the former slave, or his legal representative, was entitled to compensation in case of injury or death upon the same terms as any other person.

And yet the freedman was not wholly free. He was still subject to a certain dominion at the hands of his former master; the bond was not wholly severed. For example, if the freedman had no children, the ex-owner had the right of inheritance; and in case the freedman dissipated his fortune, or attempted to give it to somebody else, the old master had the legal right to declare the status lost and re-establish the condition of a slave. On the other hand, the former owner was obliged to take care of the freedman, should the latter become helpless and be without descendants who could look after him; and it was his duty to press the suit for damages if the freedman was killed. There were, thus, reciprocal obligations; the potential control vested in the master was not without its compensating advantages to the other party. The law laid upon him certain obligations in behalf of the freedman; they might become onerous in certain contingencies so the State, groping for an equilibrium of justice, gave the old master some rights in return.

Incidents recorded in the Sagas show that freedmen frequently attained positions of influence in the community; and that, upon occasion, they established close and advantageous friendships with the leaders in the state. Sometimes the most prominent men had such high regard for ex-slaves that they were invited to feast and visit in their homes and sent away laden with valuable gifts and tokens of esteem; and the sons of freedmen, time and again, married into wealthy and powerful families.

Few incidents in this period of Icelandic history point more clearly to the existence of a genuinely democratic spirit among the people than the attitude towards persons who had passed from slavery to freedom. Personal merit was truly the passport to public and private favor. Freed slaves and their children found that the gate of opportunity opened for them upon equal terms and with that ease which we like to think is characteristic of real democracy. Their former station was not an insurmountable barrier to advancement.

A fourth class of person in the state consisted of paupers, vagrants and beggars. They, like the slaves, were without civil rights.

Although four classes have been described, among whom there were, in some instances, clear, in others, less perceptible, social distinctions, as well as some differences respecting legal rights and privileges, there was, in reality, but one class on the island, namely, the yeoman. There was no aristocracy, comparable to that of other countries of that period, or of later centuries. All freeborn persons enjoyed equal rights before the law; they were equally entitled to its protection, and no discrimination in that regard was permissible because of the birth or position of the citizen. If he was born of free parents, and was not a beggar or a vagrant, he stood upon a plane of complete legal equality with all others.

Quite another matter is the fact that not all men enjoyed equal influence and prestige in the state. Persons were not then, are not now and never will be equally gifted, or equally industrious. Aggressiveness, ability, honesty, good sense, and judgment, coupled with material wealth, as always in human history, were the lights in which walked men who attained power and public confidence. It came to pass, accordingly, in later years, that the Godis gradually rose to a position of influence and actual power in the state, beyond that which belonged to any individual or group in the earlier years of settlement.

The leadership of the Godis naturally resulted from the constitution of society during and after the settlement era. The settlers came in relatively small groups, sometimes only one family with a number of retainers or followers coming in a vessel. Some man was the leader of each group, his position being due to native characteristics, to the prominence of his family in Norway, or the country from which he came, or to his wealth. Upon appropriating land in Iceland he proceeded to distribute it among his followers, his friends, and the members of his family. It was natural, in such circumstances, that all those who took up their abodes on the land which the leader had allotted to them should regard him with a certain respect not accorded other persons. In fact, that is exactly what happened. The leader of each small group of settlers in some instances became an unofficial prince to whom former retainers and followers, although nominally and actually independent, went for counsel and assistance in times of need.

An important circumstance in the rise of the class of Godis and the growth of their power was the early custom of providing a place in or near the home of the leader of a group of settlers for worship of the gods. This temple *(hof)*, in time, became a common place of worship, to which the persons who lived upon the land, originally appropriated by the owner of the temple, repaired for devotion and sacrifice. In this manner the temple place became a community center, something like the meeting place of a congregation, where assembled, from time to time, several persons from the vicinage, all bent primarily upon worship, but secondarily upon the social intercourse, exchange of news and gossip, consultation and discussion of problems normal in a growing society.

In these local meetings disputes and controversies between individuals, sometimes between families, arose which had to be adjusted, either by a resort to the sword, or by peaceful means. Men gifted with the good sense of the first settlers readily saw the need of some sort of tribunals by which differences could be amicably settled. In time these meetings became convenient and accepted means of adjusting disagreements, a democratic conference where matters of common concern were considered. In all this the owner of the place including the temple necessarily occupied a prominent position. Very soon the owner was called a *Godi* and his power and influence, as such, was described in the Sagas as *Godord*. The term *Godi* comes from a word which means deity and evidences the connections between the original purpose of worship and the later civil character of the meetings.

From the sources available concerning the early history of Iceland it is impossible to ascertain with certainty the precise manner in which the Althing and the Godord originated. The outline of the development, as suggested above, is, however, reasonable as well as plausible, in view of historical facts about which there is no dispute. Reliable sources mention, for example, only two Things, local, doubtless, in some respects, before the Althing or General Parliament was established. The soundness of the conclusion that there were only two such Things, or local parliaments, merely because no more are mentioned, is open to serious doubt. The Sagas and source materials do not specifically refer to these local Things except in connection with some event, or because of some special circumstances. There is no attempt to describe the development of government and the evolution of governmental theory; all we have on that subject is from incidental references. The source materials and Sagas were intended by the authors as narrations of events; they were intended neither as a history of law nor of civilization. The inference is justified that the mere fact of silence is not conclusive that there were no other Things than those which are named. The connection in which the two Things are mentioned is highly unusual, and reference is natural, though merely incidental to the main purpose of the author.

Furthermore, it does not seem probable that for fifty years after the settlement of the island there was no general meeting of the people, except in two instances mentioned. The island was so thickly settled in many places about the year 900 that the necessity for meetings to consider common problems must have been too pressing to be resisted. Disputes constantly threatened to bring about general bloodshed which, of course, must have been publicly and peaceably settled. Inasmuch as there were large settlements in regions remote from the point where these Things are said to have convened, it is highly improbable that settlers traveled such long distances when they could more conveniently have organized local Things of their own.

It seems entirely reasonable, indeed, the conclusion is obviously in harmony with the trend of events and the character of the people, that Things originated in different parts of the island, from time to time, as local needs demanded. At each such parliament it is likely that men agreed upon certain fundamental rules of conduct and general laws which should be obeyed. It is, moreover, almost certain that these rules and laws were not uniform throughout the island. This multiform arrangement sufficed until, with the development of communities, and the increase in population, intercommunity intercourse brought to the attention of thinking men the conflicts and difficulties resulting from want of uniformity. When lawsuits had to be prosecuted in remote districts, the inconvenience coupled with the uncertainty of obtaining justice away from home were seen as powerful considerations in favor of a general parliament. The need for uniform laws and a fixed governmental plan must have become apparent very early in the history of the settlement.

That the foregoing conclusions have substantial foundation in fact is supported by the incident of the appearance of the first compilation or code of laws for the island. A man by the name of Ulfljot was, by common consent, instructed to introduce uniformity and harmony into the legal system of the country. The account indicates that his main duty was rather to bring about uniformity than to create or formulate new laws. In order to prepare himself for his task he spent three years in Norway. When he returned the people of Iceland received the first compilation of laws which were accepted as binding throughout the entire island. This was known as the code of Ulfljot (about 927). This compilation contained a political code which constituted the foundation for the civil government of the island. These laws had been, to a great extent, in effect in a part of Norway, but additions, omissions and changes were made in conformity with new and different conditions. Ulfljot's foster-brother made a careful survey of the island before a suitable setting for Althing was found. Thus there was established, in 930, the Icelandic Parliament or the Althing. The account concludes with this significant statement: "and all had one law in this country." The implication is that before the compilation was formally adopted and the Althing established, there was a certain diversity in the laws, as there was in early England and in Norway before the political consolidation was fully completed.

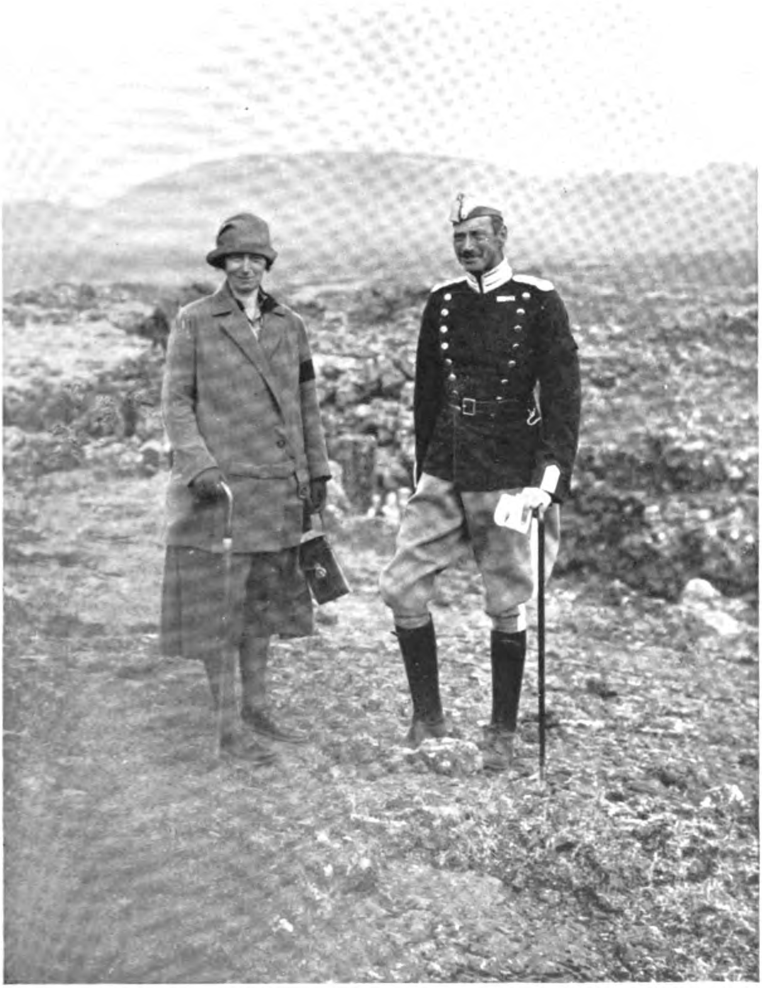
With the founding of the parliament in 930 Iceland became a self-governing and independent state. Here really begins the Golden Age in the history of the Icelandic people, a period of development, of prosperity and progress without a contemporaneous parallel in Europe. During the period the law grew and adapted itself to the needs of an expanding state; courts and procedure took fixed forms; the legislative and the judicial power in the state became separate and distinct functions of government. The state itself unfolded in a refined and complicated development. With a single exception, due to the absence of executive power, the state was organized upon a theoretical basis suggesting modern conceptions. In addition to this advance in civil government and in law, it must be noted, also, that a brilliant era in literature commenced. We are at the threshold of the period which gave the world the Eddas, the Sagas, the writings of Ari the Learned, and the histories of Snorri, without which this period in the North would be a bleak and barren Sahara, and an almost complete hiatus in Scandinavian history.

CHAPTER III

The National Government

ICELAND is no exception to the rule, universal until recent times, that religion and civil government have found a certain partnership mutually advantageous. The earliest known fragment of Icelandic law is significant. "It was the beginning of pagan law that men should not have a ship on the ocean with a carved head or beak upon it, or if the ship had such a beak, it must be removed upon coming in sight of land. Such a ship shall not approach land with gaping snouts, lest the guardian spirits of the country be frightened thereby. A ring worth or weighing two ounces shall lie on the altar in every temple; that ring every Godi shall have on his hand to all Things, to all Things which he himself shall call, and the ring shall be anointed with the red blood of neat-cattle which he himself has there sacrificed. Whoever has any law business to transact shall first make oath on this ring and name two or more witnesses, and such person shall say: 'I call to witness that I swear by this ring a lawful oath; so help me Freyr, and Njordr and the Almighty God, that I shall so prosecute this suit or defend, or bear witness, or deliver a verdict, or judge, according to what I know to be most right and most truthful and in accordance with the law, and all lawful duties shall by me be so performed while I am in attendance at this Thing.' "

From the earliest times there was a rather definite relationship between the temples and the men who at-



The King and Queen of Denmark and Iceland, taken at "Thingvellir" (Thing plains) where the original Parliament or Althing of Iceland was organized in 930 and where the millennial celebration will take place.

tended the Thing, between the sacred offices and the civil power. One clause, short but tremendously significant, in the laws, brought by Ulfljot and accepted by the Althing, was that which established this general parliament. The Althing was at the very center of the government; the core of the Althing was Logretta; and the central figure of the latter and, therefore, of the entire governmental scheme, was the Godi. The Godis (the Icelandic plural is *Godar*) had a seat in parliament, as a matter of right, from the beginning. Aside from this fact, little is known, with certainty, concerning the organization of this unique national gathering and the manner in which it functioned.

The last curtain has long since dropped upon these early scenes. No historian has been privileged to lift it that we might once more look upon the dramatic events which held the attention of the children of the Vikings. Distinguished scholars radically disagree, and it is only in broad fundamentals that conclusions may be confidently drawn. Whether the judicial and the legislative functions were separate from the beginning, is a controverted question. We do know that thirty-five years after Althing was founded such separation was definitely effected. The old texts specifically say that Ulfljot followed, as a model, certain laws in Norway (Gulathings Law), except for changes necessitated by altered circumstances and essentially different local conditions. An inspection of the Norwegian source discloses the fact that the judicial and legislative powers were combined as one function in the same body, namely, the Logretta. The term Logretta is, therefore, adopted from Norway, and, in the absence of circumstances pointing to a contrary conclusion, it is probable that the law-giver borrowed the function with the name. Had Ulfljot departed in substance from this fundamental characteristic of the parent system and had the lawmaking been separated from the judicial power, historians would hardly have overlooked or ignored such a radical change.

We have no definite information as to the number of the Godis who had a seat in the Logretta originally, or about its constitution in other respects; historians are of the opinion, however, that all the temple chiefs (Godis), who had a real following, had a seat in this assembly and that their number was virtually the same as that which later was fixed by law. That this probably was the case seems reasonable in view of the fact that the first compilation of laws was submitted to the people for approval. Had there been a curtailment upon the right of important Godis to a seat in this body, opposition would have been encountered and acceptance of the proposed system jeopardized. If the law-giver and his supporters were practical politicians—and there is evidence that they were—it is improbable that they would deliberately stir up hostile feeling by proposing any real abridgment of the rights and privileges of the temple chiefs. The likelihood is that there was little or no change.

The year 965—thirty-five years after the Althing was founded—marks the beginning of a new and distinct era in the evolution of the government of the Icelandic Commonwealth. The country was then divided into four Quarters with three Things, or assemblies, in each Quarter, and three Godis, or temple chiefs, in each Thing. An exception was made in one Quarter, and four Things (local assemblies) were provided because the people could not otherwise agree. One group on one side of a certain river did not want to attend a parliament upon the other side, and vice versa, but insisted upon one of its own. Provision, however, was made that this Quarter should have no greater proportionate representation in Logretta than any of the other Quarters. That is to say, the twelve temple chiefs in the northern Quarter had no greater power than the nine temple chiefs in each of the other three Quarters. In consequence, a temple chief from the north Quarter was thereafter less influential in the National Parliament than an individual chief from some of the other Quarters. At the same time there was established one parliament for each Quarter; but this was shortly discontinued and replaced by the Quarters court at the Althing.

Of the true meaning and etymology of the word Godi there is some uncertainty. One thing is clear, namely, that in Iceland the term acquired a distinct significance during the Commonwealth. Who the Godi was and what the jurisdiction of the Godord can best be answered by a brief recapitulation of historical facts. When the first settlers took land they usually built a temple *(hof)* to which the people of the vicinage repaired for worship. This place became a community center. The man who built the temple called himself a Godi, or *hof-godi,* which really meant temple priest, temple chief, or simply proprietor of a temple, for a small temple toll was exacted of those who made use of the place. After this fashion many independent communities came into being, called Godords (Icelandic plural *Godord*), and the head man in each case was a Godi. When the parliament was founded in 930 it was through the cooperative effort of these local chiefs. Later, about 965, as has been seen, the number of Godords was fixed at thirty-nine. In 1004 some new Godords were created, in circumstances which will presently more fully appear, but they did not have representation in Logretta, though they elected judges to the Fifth Court, the highest court in the country. The power of the Godi was thus a mixture of the civil and the ecclesiastical.

The fundamental change in the governmental scheme, which occurred in 965, grew out of a quarrel between two powerful men and their followers. Under the old system a suit sometimes had to be tried in a district where the influence of one of the parties was too powerful to enable justice to pursue the even tenor of her way. Such a case actually arose, and, because of the serious complications resulting, it appeared to thoughtful men that the existing order was defective at this point. Justice, they saw, might be defeated when individuals were compelled to go before strange and distant Things, to vindicate their legal rights. As a consequence, later, the Quarter Courts were established as a part of the National Parliament. Under the new system suits in which both parties lived within the jurisdiction of the same local Thing, were brought locally; but if they were from different local Things, but within the same Quarter, the jurisdiction was in the Quarter Thing. If the parties resided in different Quarters, then Althing, or the Supreme Court of the land, was the proper forum.

There is here a distinct precedent for the American theory underlying the principle of federal jurisdiction in cases of diverse citizenship. The rule was necessary and wise in Iceland when the independence of the judiciary was indeed precarious and the proceedings of courts might be disturbed by powerful chiefs, who, by force of arms, could confound justice with comparative impunity. It must be remembered that there was no real executive power in the Icelandic state. In the light of modern conditions, with courts and judges free to decide according to the law, the theory seems anachronistic, but in its day the scheme was wisely calculated to promote justice.

At the time when the change in the judicial administration was brought (about 965), a complete division of the legislative from the judicial power was clearly effected. Originally, the lawmaking and the executive powers were probably combined in one body, or in one group of persons; such seems to be the history of all governments. Precisely when the separation took place we may never know. There is reason to suppose that it did not occur prior to 965. There is no distinct reference to judicial decisions at the Althing prior to this date, although frequently afterwards. It seems reasonable that after an experience of more than a quarter of a century men began to realize that there were serious objections to keeping these functions united in the same body. The making of law in the short period during which the parliament sat each year was a sufficient task to occupy the time and energies of the Logretta; and it must have appeared anomalous and unwise to entrust the power of interpreting and applying the law to the body which had the power to make it. With that good sense which nearly every page of the Sagas shows was a characteristic of the settlers, they concluded that a separation should be made. In Norway of this period this division of function had not been accomplished.

The change in the political constitution and in the law of Iceland, brought about in 965, led to consequences of national importance. When the new order went into operation it was definitely laid down in the law that thirty-nine Godords should be entitled to membership in Logretta. Consequently, the class of Godis, nine from each Quarter, except from the northern Quarter from which there were twelve, became a powerful influence in the government of the country. It is probable that the Godis were largely influential in bringing about the change in 965 and that they sought to insure the retention of power in their hands indefinitely. In short, they were politicians who in modern times would have had themselves elected governors or United States senators. They made up the conservative political party whose aim was to entrench themselves and their policies in perpetual power.

The power of the Godis rested in implied understanding between them and the men who attended the Althing from their Godords, or jurisdictions. Here we find the essence of the representative principle. By mutual agreement there was a reciprocal obligation to furnish support and protection in case of need. The arrangement was voluntary on both sides, and it was in the power of the people to dissolve the relation at any time and to transfer themselves to the jurisdiction of another Godi—in a certain, if limited, sense the power to elect another representative. The governmental structure was of such a nature that the position of a Godi was the highest station to be attained, with the exception of that of the Lawspeaker, later to be mentioned; and his influence depended upon his ability and the number of his followers. With the new law and the changes just described the old Godis sought to save themselves from the disaster which they feared from the attempts of obstreperous upstarts to rise in power.

The Godis successfully fended approaching disaster, for the office was a barren honor without the right to participate in the government which belonged to the thirty-nine. The danger of new and competing Godords was lessened, or entirely removed, for there was little inducement for men to attach themselves to a yeoman without substantial power in the state. These Icelandic politicians understood human nature; with a discernment rivaling that of American statesmen, they cultivated and guarded the plum tree with sedulous care. It is inaccurate to say that there was no music in Iceland of this period. The siren notes of the band wagon fell seductively upon cultivated ears. These elder statesmen clearly foresaw that a chief without power to dispense favors, through participation and influence in the government, would be like a voice crying in the wilderness.

The change in 965 was really three-fold: (1) in venue of cases; (2) in the separation of the legislative from the judicial power; and (3) in the establishing of the political control of the Godis, or old temple chiefs. These changes were of the greatest importance and remained without substantial modifications for approximately three centuries.

There was still present the need of judicial reorganization; and the modifications of 965 had not been universally acceptable. About the year 1004 there was established a Fifth Court, the Supreme Court of the island, consisting of forty-eight members. At the same time twelve new Godis were admitted to participation in naming the court; they nominated twelve judges for the new trial tribunal. The remaining thirty-six were named by the ancient Godis. Except for this recognition in constituting the Supreme Court, the new Godis were excluded from any share in the government.

The explanation of the changes of 1004 has been a subject of controversy. In one of the most famous of the

Sagas, the story of Burnt Njal, it is said that the reason was an ambition to bring about the alliance of powerful families through marriage. That a material modification was made in the government in order to further the matrimonial aspirations of individuals is rather improbable. It is attributing an almost incredible influence to Njal, wise and popular though he was, to suppose that these hard-headed, conservative men, representing every part of the island, and not given to sanction changes in the government upon transient or frivolous grounds, would fundamentally alter the scheme of the state for personal reasons of this kind. The obvious evils in the existing system of judicial administration afford a rational, sound and sufficient explanation.

Up to 1004 the rule had been universal that no judgment could be pronounced in any court unless the judges concurred unanimously in the decision. If any member of the tribunal dissented, or for any reason withheld his concurrence in the decision of the majority, a mistrial resulted and no conclusive judgment could be entered. Manifestly, this was a serious defect. Over and over again decisions were indefinitely postponed because of disagreements and failure to reach a unanimous judgment. This was remedied when the Supreme Court was established. It was given jurisdiction in all cases in which decisions had not been reached, due to want of unanimity, and in all such matters a majority of the new court sufficed to make final disposition of the controversy. Thus, the people were assured that final judgment would be pronounced in every case. It is true that other classes of cases, to be mentioned later, were within the original jurisdiction of the Supreme Court, but, in the main, its jurisdiction was over cases in which a final judgment had not been pronounced, and was probably conferred for the purpose of removing this serious defect in the old order. Nearly forty years before, the wise statesmen of the day had remedied faults which actual trial had brought into view; more experience pointed to other errors which they set about to correct. The civil government was evolving out of national experience, not from abstract theory.

There were other causes which must be reckoned, perhaps less obvious, but no less powerful. The fact that the twelve new Godis were given power to nominate twelve of the forty-eight members of the court does not fully explain the creation of these new offices, for, of course, the power to constitute the full court of forty-eight could have been lodged in the existing Godis with the requirement that they nominate twelve from each Quarter of the island. Neither is it reasonable that the ancient Godis created officers and potential rivals in power without considerations which must have pressed powerfully upon them.

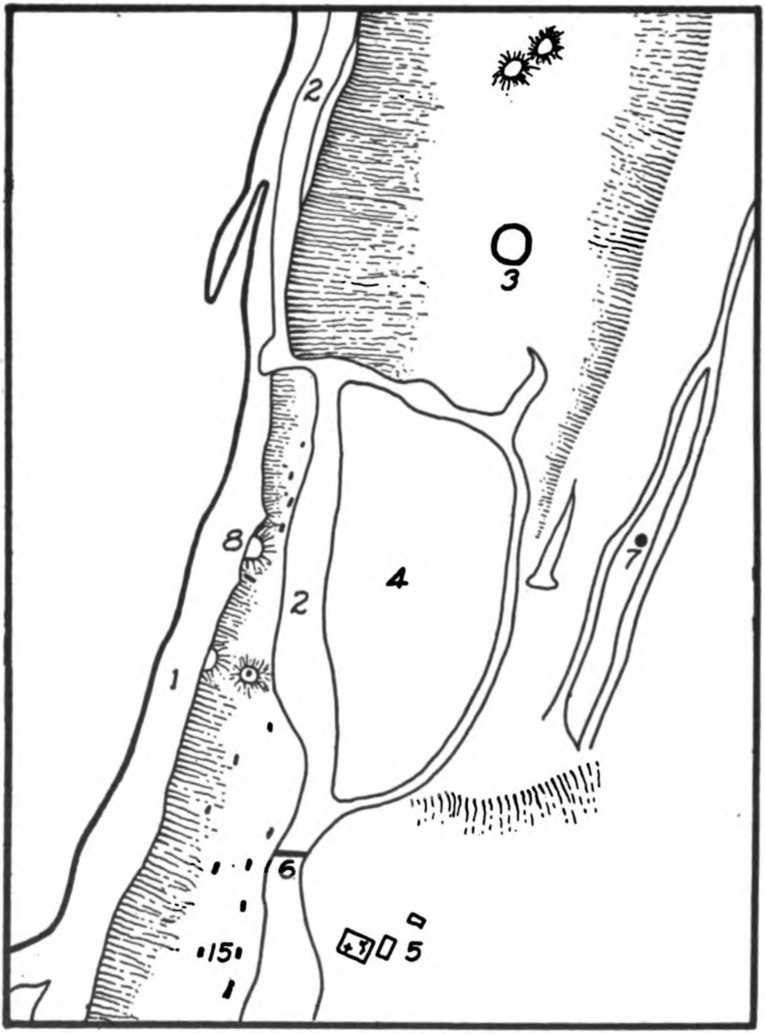
The view has been advanced that the true explanation has some relation to the introduction of Christianity in the island, which took place shortly before this date. Obviously the ancient Godis, whose power was derived historically from the fact that they maintained quasi public places where the old deities could be worshiped, saw in Christianity a force calculated to undermine their political power. Christians would not have amicable relations with paganism, or anything deriving its power or its prestige therefrom; nor would they pay a temple toll, participate in pagan feasts, or take oath in the pagan manner. The necessary result, therefore, would be a separation of Christian from pagan politicians, unless a compromise or readjustment could be effected. That is to say, Christians would establish their own Thing which would have to be independent of pagan influences. Indeed, after the date when the island was Christianized there are indications that extra-legal Things had begun to appear. In addition, there was probably some undercurrent of discontent due to the changes made in 965 and the virtual consolidation of political power in the hands of the class of Godis. Looking over the situation, appraising the possibilities, taking the popular pulse, to speak in the terms of contemporary political art, the Godis concluded that something must be done to appease the malcontents.

The Christian party was active and difficult to control. Its members were fighting for a new religion, and some prominent men were imbued with the first high fervor of conversion. At the meeting of the parliament in the year 1000 feeling had run high and the peace of the island was in serious danger. The old régime could not but have seen that the hour was imminent when they must decide between civil war and separation of the two groups, on the one hand, and material concessions, on the other, at the same time saving for themselves all that shrewd diplomacy could accomplish. The latter alternative was chosen by the crafty chiefs.

Fortunately, neither the pagan nor the Christian conscience was wholly inflexible. The pagans accepted baptism and themselves assumed responsibility for the new faith; and the syncretic complexion of the new régime did not deeply offend the pioneer missionaries. It is not fantastic to suggest that the Godis foresaw that by suffering themselves to be baptized they would be able to retain political control and also to preen themselves as the promoters of the new doctrine, should the time ever come when glory could be claimed on that score. It was good politics and a clever coup. The leaders of the new faction had to content themselves with comparatively little influence in the State; they were permitted to establish new Godords, and when the Supreme Court was founded they were given a voice in selecting its members. That was all. Otherwise they were still excluded from participation in the government of the country.

It is much more likely that this explanation is correct than that the court was established and the twelve new Godords founded because two families had marriage plans in view. The solution of the very serious problem which confronted the people at this great crisis is highly complimentary to the good sense, the sound judgment, the political acumen, and restraint of the leading men of that critical hour. They stood for law and order and were willing to yield in matters of moment in order to maintain peace in the land. The historical evidence suggests that the Christian politicians were either outwitted by the pagans, or were cannily willing to bide their time.

While Ulfljot was in Norway, collecting material for a system of law for Iceland, his foster-brother traveled on horseback all over the country in search of a suitable meeting place for the Althing. After considering many points his choice fell upon a spot on Oxara, a small but scenic stream, approximately thirty miles from Reykjavik, the present capital of the island. This river was diverted from its ancient channel as a part of the preparation for the seat of government. From the amount of labor this necessitated, it is evident that neither time nor pains were spared in making the spot interesting and attractive.



ENVIRONS OF *THINGVELLIR*

THE PLAINS OF ALTHING OR PARLIAMENT

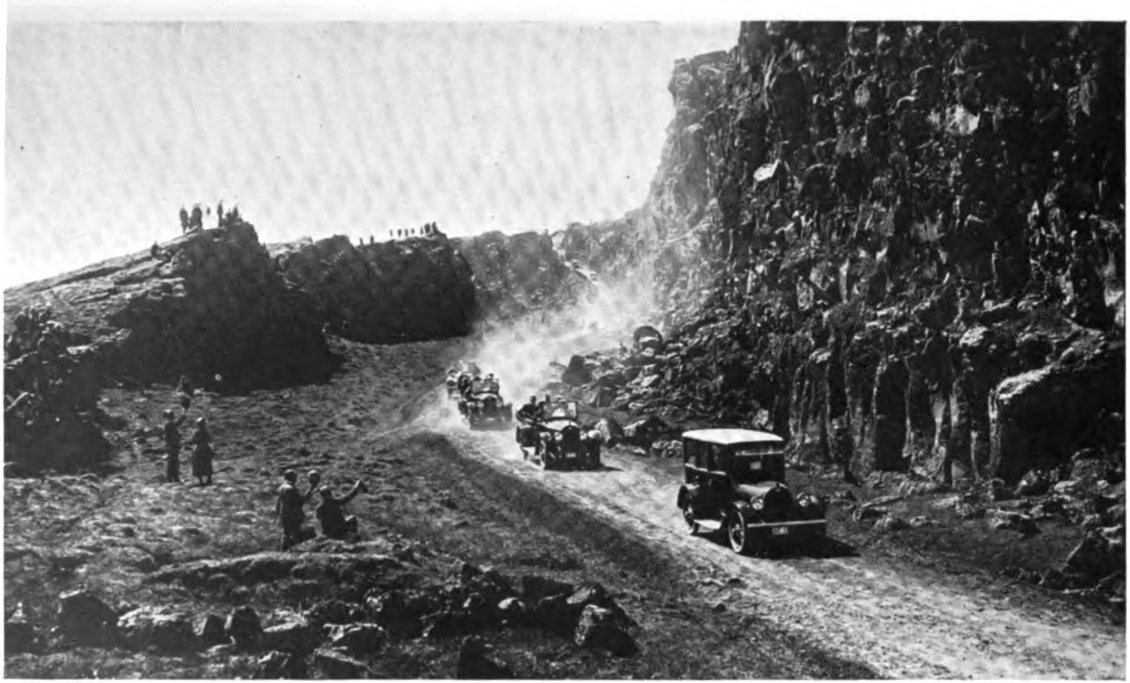
1. A depression or hollow, called *Almannagja*.
2. Oxara—River.
3. Logretta.
4. An island formed by changing course of river.
5. Plains where Althing sat.
6. Bridge.
7. Lava Bed.
8. Logberg, Rock of the Law, as now supposed.
15. The booth of Njal. (The black rectangular spaces are locations of various booths.)

Here comes into the view of history the immortal *Thingvellir,* the Plains of the Thing, the heart of ancient Iceland, which will forever make its history and its traditions throb with a spirit-moving power, ever stirring, never dying, triumphantly defying the ruthless death edict of Time itself. The choice of Thingvellir was wise from many standpoints. It was conveniently accessible from the most thickly settled communities in all parts of the island. Land was within easy reach for use as pasture for the benefit of those who attended the parliament. This need was pressing because the members of the Althing came on horseback. Ravines and water courses bounded the place on three sides; and down in the hollow, where the Althing actually sat, the climate was comfortable and the view ruggedly beautiful. Tall and dignified mountains in the distance lifted their summits to the sky, and some of the most picturesque characteristics of Icelandic scenery met the eye.

Needless to say, this ancient site, where early democracy tried its wings, is consecrated ground. It is the Icelandic Hill of Tara, sacred to Icelandic tradition and Icelandic liberty. Every foot of ground is hallowed by memories and associations, immortal in law, in letters and in song. There is one particular spot dear to the heart of every Icelander and that is the Logberg, literally translated, the Rock of Law, where the Legislature convened. For centuries a rocky ridge which resembles a wedge between the two ravines, has borne this suggestive name. The exact location of this historic spot is still in dispute, although it seems certain that the historic Logberg was not this ridge. The place was on the west side or bank of the river.

Logberg was the central point of the Althing, where were enacted some of the most solemn scenes. Here parliament was opened with pagan sacrificial rites, and from hence issued judicial decrees as well as legislation in later years. On state occasions the members paraded in glittering holiday attire. Its meetings were solemn and impressive in the last degree. From Logberg were announced decisions and laws; summons went forth to individuals to appear in law cases; penal judgments or sentences were proclaimed; and thence the presiding officer announced licenses to make settlements, agreements, and days on which suits might be heard.

At Logberg the seat of honor was assigned to a person known as the Law-speaker. His function was to announce publicly, so that the assembled populace might hear, the laws of the land, new laws passed, proclaim leaves to adjust or compromise differences, and the like. No man was permitted to take a seat at Logberg without the permission of the Speaker; it was in his power to admit men to the place at his discretion, and, of course, he admitted all who were interested in pending litigation. Admission to this sacred place was freely granted; indeed, we are told, that, upon occasion, men who had some message which they wanted to get before the people, obtained permission to address them from this point of vantage, and that permission to speak apparently was not conditioned upon the connection of the subject-matter with anything then pending before parliament. For example, a father would announce that his daughter had been divorced, another would invite friends to attend a feast, or some occasion of importance; still another might issue a challenge to a duel; and a message from a king of a distant country might be delivered. Undoubtedly, there was, as a rule, a large crowd in attendance upon the



Almannagja, at Thingvellir, the Plains of the Althing

sessions, because the people were curious to see and hear what took place. There was always a possibility of dramatic developments; and sometimes the crowd manifested its approval or disapproval of speech and speaker by noisy demonstrations.

The most powerful personage connected with the Althing was the Law-speaker. He was its presiding and executive officer. He held office for three years, and was chosen by Logretta; he might be reelected as often as this body saw fit. The main duties of his office have been mentioned, not the least important of which was the duty to proclaim publicly the law. He was expected to make public announcement of all the laws of the country during his term; and what was done at each session of parliament he announced immediately.

Obviously, some method of making known the law was essential, inasmuch as it had not been reduced to writing. Without some such expedient it was impossible for the people to know the law and, therefore, to obey it. Were it not impracticable because of the ever magnifying curse of multiplying statutes, such a plan, in modern times, would doubtless be helpful. Laws passed by legislative bodies today are, for the most part, unknown to the people until they come in contact with them through personal experience—an experience sometimes costly and disastrous. The average citizen has no means whereby he may be informed as to the law; even a purchase of the volumes of statutes offers little help. Only a few copies are printed. This situation is paradoxical in a country where one of the maxims of the courts is that everybody is presumed to know the law. In reality the presumption operates in favor of lawyers and judges only. These latter no one expects to know the law, for do we not supply the courts with aids at the hands of great lawyers, and with ponderous briefs, all to the end that they may learn the law which the common man is presumed to know? The only recourse for the ordinary man is to consult an attorney who, if he does not know the law, has, at least, a copy within reach. This latter method was denied the people of Iceland during the Commonwealth. The situation, however, was quite adequately met through the Law-speaker and the regular and repeated proclamations of the rules within hearing of the people.

The importance of the practice becomes still more obvious when we recall that the practice of law and the trial of lawsuits in Iceland were highly technical; the procedure, especially, was much involved, and it is remarkable that the lawyers of the time, who conducted lawsuits, could reproduce from memory an accurate statement of the many technical rules from which no deviation in substance or phraseology was permitted. It was, therefore, highly important that the Speaker clearly announce the law, not only its substantive features, but its procedural rules. If the Speaker was in doubt he was privileged to call in consultation five men who had the reputation of being learned in the law.

The official duties of the Law-speaker were not all discharged during the sessions of Althing. He was a sort of people's counselor, or attorney-general, in the interval between sessions. It was his duty to give legal advice and information to any citizen of the Commonwealth, whether consulted at Althing or in his home after parliament had adjourned. His function in this respect, however, was that of counselor only, not that of prosecutor, or trial lawyer. No citizen had a claim upon him either to settle his dispute or to act for him as his attorney in a controversy.

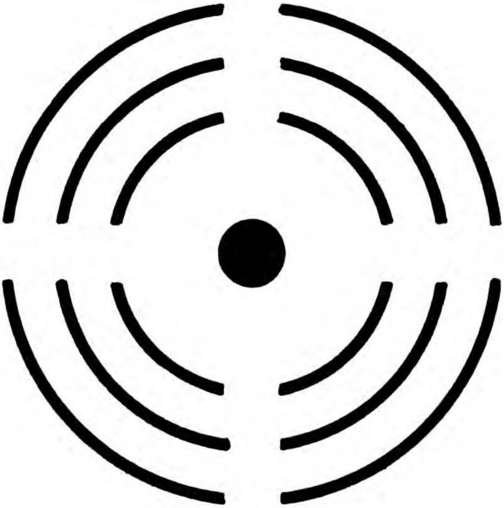
The Law-speaker presided over the sessions of Logretta and had a seat on the central stage, or platform, with the Godis. As soon as a suit was decided by this body, it was his duty immediately to announce the result at Logberg in the hearing of the assembled multitude. In him was lodged the executive power during the sessions of Althing, but he had no executive power between sessions. In that respect, therefore, and during the time when parliament did not sit, he had no greater power than the ordinary citizen. In this manner these old statesmen guarded against the danger that a strong man, occupying such an advantageous position, might arrogate to himself power and influence which might tend to disturb the balance in the state.

Although the power of the Law-speaker was closely circumscribed, his office was one of the most coveted distinctions attainable in the Icelandic Commonwealth. The selection was carefully made, and only men of ability and high character were chosen. Not only was the choice limited, as a rule, to persons learned in the law, but family standing and prestige had practical weight.

The Sagas show that sometimes the office of Law-speaker was held for a quarter of a century by the same man. In such cases, as can be readily imagined, his power grew, notwithstanding the legal limitations which have been described. A strong man in the office could exercise great influence, both between and during the sessions of Althing. The case of Skafti Thoroddsson may be mentioned. He held office for twenty-seven years, from 1004 to 1030. During his term, many prominent and wealthy persons were found guilty of offenses, such as homicides and assaults, and were outlawed. This fact is attributed to the influence of a powerful personality in the office. He believed that law should be obeyed, and acted accordingly. Of course, if a Speaker showed a disposition to usurp power, there was a ready way to check him. His term was only three years, and it was always possible to find someone able and willing to succeed him.

The compensation of the Speaker has some interesting features. His salary was fixed at two yards of homespun cloth, the yard being two feet wide. This was paid him from the treasury of the Logretta. Homespun cloth was, at this time, a common medium of exchange. In addition, he was entitled to one-half of all the fines imposed during the sessions of Althing. At first blush it may seem that this was a dangerous and unwise practice. It is still the law in some of our states to allow the justice of the peace to retain a part of the fees and fines which he collects. Perhaps the decision of the United States Supreme Court frowning upon the Ohio system will have a salutary effect. The practice is contrary to the spirit of American institutions and hostile to the traditional belief in Anglo-Saxon countries that a judge must have no pecuniary interest in any matter submitted to him for decision. When it is noted, however, that the Law-speaker did not assess the fines, but merely proclaimed the decrees, the uncivilized aspect of the practice in some of our lower American courts was clearly absent. It was fitting that those who disobeyed the law should contribute to the support of him whose duty it was to instruct the people in its principles. We have long believed in the United States—with unwarranted optimism, at least as far as some laws are concerned—that there is a connection between ignorance and disrespect for law, and, consequently, turned fines into the school fund. The old Icelandic and the American ideas are basically one.

Perhaps the most important activity of the Althing was lawmaking. New laws were made by the body described in the old texts as Logretta. This name is used to designate both the place where the men met and the committee or division of the Althing which enacted the laws. It occupied a plain on the Oxara (river). There were three grass-covered platforms, or natural benches, in concentric circles, each bench being so roomy that approximately forty-eight men could be seated upon it. In the middle sat the thirty-nine Godis, with nine men addi-



LOGRETTA

The middle platform was occupied by the Godis and the others by their advisers. The central space was reserved for those having business before the body.

tional, making a total of forty-eight. Three men were selected from each of the three Quarters to make up the nine to balance, or offset, the three additional Godis from the north Quarter, of which something has been said before.

The body of forty-eight was the very essence of Logretta; in them was vested exclusively the right to introduce measures and to vote thereon. Each member had the right to take with him, when he took his seat, two men as advisers, one sitting in front and one behind him. Thus, one hundred forty-four men were entitled to a seat in the legislative body. There was also reserved a place for the Law-speaker and for the bishops, after the two bishoprics were established. Centrally and inside the platform occupied by the members was a vacant space for the use of persons interested in matters pending before the body. Outside the platforms the public assembled. Nobody was permitted to stand in the presence of this assembly, except those on the outskirts of the crowd, and individuals who were concerned in the business of the moment.

Men who had business before the body were permitted to stand while speaking, or engaged upon the affairs at hand, but otherwise they were required to occupy their seats. In a restricted sense the Logretta was the legislative body of the nation. The old law book, *Gragas,* says that there men should correct the law and make new statutes. The Althing remained in session for two weeks, and Logretta convened regularly on the two Sundays of the Althing, on the last day of the general session, and at such intervals during the session as the Speaker desired, or the majority of the members might decide. In strange contrast with the technicalities of its procedure, the system, flexibly, permitted citizens outside of its membership, informally to require Logretta to meet and transact business. We see here clear proof that the government was responsive to the interest of the people and was regarded as a means rather than an end in itself.

In making laws two methods were used. The Speaker, or a majority of Logretta, the members who occupied the middle platform, proposed measures, either for amendments of existing laws, or for new enactments. Only those could propose legislation who had the right to vote. Thus the legislative power technically resided exclusively in the Speaker and the Godis. The very limited right of non-members to initiate legislation might well have resulted in a condition antagonistic to democracy, had every influence from the outside been excluded from the legislative counsels. The Godis were a comparatively small group of men, and their interests were, necessarily, not always the same as those of the public; in fact, in certain aspects the interests of the Godis were in conflict with the interests of the people.

Viewed abstractly and in the light of our knowledge respecting the tendency of men in power to become selfish and to arrogate to themselves more and more power, we might suppose that the legislative prerogative would not be exercised with a uniform purpose to promote the general well-being. If all outside influence had been wholly excluded, only the most conservative type of legislation would have been enacted. There is no reason to believe, however, that this legislative body was unresponsive to the pressure of public opinion; on the contrary, the law contains evidence that some of its provisions originated from sources not within, but without, the Logretta.

Instances in the Sagas show that matters of public concern were discussed at the Althing and the Logretta in the presence of all members, including the Godis. The greatest freedom was allowed individuals to express themselves in the presence of the people, and to debate problems in which the people were vitally concerned. Frequent use was made of this privilege. No better, indeed, little other, opportunity, was afforded for discussion of measures or proposals which might be calculated to promote the welfare of the country. It appears that this opportunity, thus freely afforded the citizens of the Commonwealth, was frequently used; and the custom tended to develop a capacity for oratory of an effective, if not flamboyant, kind. There is occasional and striking proof that the people appreciated highly, as men always have in all ages, the power of vigorous and eloquent speech. It is entirely probable that many of the provisions in the laws of the Logretta originated in the public forum.

While the foregoing was most likely the method by which the popular will became effective through legislation, there were other expedients. If men disagreed about the law they had a right to insist that this body convene to consider the matter. It then became the duty of the contending parties to appear, explain all the circumstances, advance their reasons, and then lay the subject of controversy before the Logretta. The decision rendered served as a judgment in the case, but differed from the judgments of the courts in this: that no way was provided to execute such decrees in the manner in which the decisions of the law courts were enforced. The decision, however, became a precedent in the light of which future controversies, of a like nature, were adjudicated. It seems to have been a judgment with certain legislative features, and lawmaking with certain characteristics which belong to a judicial decree. Possibly we have here rudiments of the time when the legislative and the judicial functions were united in this body. In Norway the Logretta had judicial power; the name was borrowed from Norway; it is not unlikely that we have here a survival of the old judicial function. At any rate, the official action taken became a sort of special law in the sense that it grew out of a specific instance, private in character. In a limited sense, it was a private law which in some circumstances might have a general operation.

This method was probably resorted to when men desired an enactment in a matter which was not of such general importance as to warrant its consideration before the mass of the people. The old laws contain many provisions which, seemingly, have originated out of special circumstances, rather than from that legislative foresight which anticipates conditions and meets them in advance. Some laws are, indeed, of so specialized a character as to suggest strongly that they originated in this mode. Much lawmaking in the United States, notwithstanding constitutional provisions to the contrary, is really special and local legislation. A constituent has in mind some local situation about which he thinks a statute should be constructed; or he may have had trouble with a neighbor. He goes to his legislator and induces him to introduce a bill. The legislative bill, of course, must be general in appearance, though in fact it is special in character. It is likely that some parts of the old laws of the Commonwealth of Iceland originated in this mode. Interested individuals induced friends in Logretta to arrange for the introduction of the equivalent of our modern legislative bill.

We have no evidence that any legislation was proposed or passed by these elder statesmen so ambitiously point-less as bills offered in our state legislatures regulating the length of hat pins in the days of the Duchess of Devonshire style of hat; the length of the skirt before that article of apparel had well-nigh disappeared from the land; or providing for the repeal of the unwritten law, a proposal which would have found neither friends nor favor in those vigorous days of violence and casual homicides. It is clear, in any event, that the public were not excluded entirely from all influence in the deliberations of the lawmaking body. It is not a figure of speech to say that the legislation of the Commonwealth is the joint product of Logretta and of the people; that is, to put it differently, the law was in a high degree the expression of the popular will. The system had its checks and balances. While the people did not possess power of direct legislation, with the possibilities of ill-considered action which might attend upon that method, yet their influence was steadily felt, but precipitate action was prevented by the conservatism of the body actually entrusted with the making of the law.

The procedure of the legislative branch was regulated by strict rules. All its members were required to appear and vote. If they absented themselves they might be fined and, indeed, might be divested of the rights and privileges of a Godi. When measures were proposed in the Logretta the Godis took time to consider them and to consult with their advisers. After consideration and consultation a vote was taken. They did not vote as is commonly done in our state legislative bodies; they must perforce know what each measure was about. To vote was a solemn and serious matter. Every member rose in his place and explained his attitude, stating what he thought should be the law. Thus did every man concerned in the making of the law have a clear notion of what the business was about.

There was no voting of the modern type, where members of legislative bodies too often cast their votes upon measures without any real understanding of what they are doing. It would be a rare discovery now to find a person in such a complete state of insophistication as to think that he can get information about the law from the average legislator who has just returned from a session at the capital.

A majority vote was sufficient to pass a measure; in case of a tie the Law-speaker cast the deciding vote. When the vote had been taken and the measure carried, one of the members rose in his place and stated anew what the law was which had just been adopted. And this he did in the presence of witnesses whom he named for the purpose; the other members then manifested their assent if he clearly and correctly stated the proposal. Finally, to make it doubly sure that the public understood, the Speaker was required to proclaim publicly the new enactment, or changes in old laws which had been adopted.

When the circumstances are recalled, such as the absence of newspapers and of printing, as we know them today, or of any substitute even remotely suggesting either as a means of disseminating information among the people, we are impressed with the wisdom of the expedients these Icelanders adopted as a means of bringing home to the people knowledge of the law they would henceforth be expected to obey. Everything reasonably possible was done, it seems, to let the people know the content of the law. That they did know it is evident from the many incidents in the Sagas where the common man accurately and learnedly expounded complicated legal propositions. While the average man now has much greater general information upon a larger variety of subjects than these sons of the old sea-rovers, it is certain that in knowledge of the current legal system the old Icelanders far surpassed the average college graduate of today.

If it appeared that some new enactment which Logretta had adopted was inept, or one that the people did not want, it could be eliminated without putting the legislative body to the trouble of considering it anew. Should the Law-speaker omit to proclaim it for three successive years, when he stated the law to the assembled Althing, and by silence the lawmaking body indicated no dissent, the obnoxious enactment ceased to exist as a law. Acquiescence in disuse or non-enforcement for this period would bring about a repeal.

In addition to its lawmaking powers, Logretta had certain administrative, or quasi executive powers. It issued licenses and granted privileges in certain cases, like the privilege of compromising or adjusting differences, the right to consolidate two local Things, and to hold meetings or Things in places other than those designated in the law. In these matters, however, it was not enough to have the assent of the members of Logretta who attended the meeting, but in addition it was essential that there be no opposition outside the legal body, for a matter of this sort might be checked, notwithstanding the assent of the members if such opposition developed. Here is another bit of evidence of popular conservatism; the people were not inclined to depart from the existing order upon any mere transient causes.

Perhaps one reason for this caution in the presence of the novel, very marked in the public proceedings of the time, is found in the fact that there was no real executive power in the Icelandic Commonwealth and under the state constitution.' Provision was adequately made for legislative and judicial functions; but no provision appears for any adequate executive power. Herein lay the germ of the evil dissensions which, in later years, bathed the island in blood and ultimately brought about the overthrow of the Republic. There was no responsible power whose primary duty it was to enforce the law and to see that law breakers were vigorously brought to justice. Every individual was an executive; if the citizen did not take steps to see that the law was enforced, offenses against it were ignored. The pardoning power, therefore, was very sparingly exercised. If pardons had been freely granted in cases where, through individual initiative, criminals had been convicted, it would have added to the confusion and weakness resulting from the absence of a vigorous executive. Some conspicuous instances are cited in the Sagas illustrating the great difficulty in obtaining a pardon, even in cases which, to our view, appear meritorious.

It may well be wondered if the criminal law in the United States would not be better and more successfully enforced if the pardoning power as fully realized as did the old Icelanders that nearly every application for a pardon is potentially a blow at the law enforcing machinery in the State. These Vikings did not send flowers to a convicted rapist, a confessed sodomist, or a murderer, while under the inconvenience of a penal sentence.

The other main function of the Althing, the judicial power, was reposed, after 965, in distinct tribunals, the Quarter Courts. There were four of these courts, and each was constituted anew every year. Each Godi had the power to name one man for the court, except for the court in the northern Quarter where the twelve Godis could appoint only nine members. There were nine members of each Quarter Court. Litigants had the right to have their suits tried in the first instance in the Quarter Court, although it is probable that cases were first heard at the local or Spring Thing. If a case was not finally decided in the local Thing, a transfer of the action could be had to the Quarter Court.

It thus appears that the Quarter Court, corresponding somewhat to the district or circuit courts common in the United States, consisting of one county or more counties than one, had both a quasi appellate and an original jurisdiction. It must not be understood that appeals, in the modern, technical sense, from one court to another, lay when there had been a decision—one decision disposed of a case forever. In many, if not in most instances, the case was taken directly to the Althing, when the parties resided in different quarters. The Logretta decided when a decision should be announced; but the Speaker, where the contestants should be seated; and it would seem that the decision in that behalf depended upon the circumstances of each case.

Sometimes there were noisy demonstrations in the presence of the court. When that occurred the parties had the right to demand of their Godis that three defenders, or bailiffs be appointed, one for each local Thing within the Quarter, to guard against the intrusion of anything into the deliberations calculated to disturb the balance of justice. The bailiffs drew a line or cut a ditch around the judgment seat within which no one was admitted who did not have some interest in the proceedings.

Even this precaution sometimes proved inadequate to hold in check the tumultuous spirit of the people when important cases were on trial. Occasionally, it became necessary for the court to sit on the middle of a bridge under the protection of an armed guard at each approach.

The qualifications of judges apparently were not very exacting. Any male person, twelve years of age or older, who understood fully the nature of an oath, who was free and independent and had a fixed domicile, was legally qualified. Nothing was technically, as differentiated from actually, required as to learning in the law. The Icelanders seem to have been as frankly indifferent on this score as were over ninety-nine thousand out of a total of two hundred and seventeen thousand voters in Ohio in 1912, who wanted a blacksmith, without any knowledge of the law, to sit as a member of the Supreme Court of that state.

As has been pointed out, learning in the law was general, and no person reached man's estate without a fairly thorough grounding in legal rules. The evidence of history supports the view that well qualified men, judged by the standards of the day, were generally chosen to fill responsible positions. Ignorant figureheads would not do; the officer had to do the work himself and, therefore, must be qualified. He could not, as is usual in modern governments, turn the job over to fairly skilled underlings, thus unwittingly putting a barrier between himself and harm to the public interest.

The highest judicial tribunal on the island was the Fifth Court. The name is presumably derived from the manner in which the court was constituted. Nine judges were nominated from each Quarter, to represent the ancient Godord. Then the fifth part of the court consisted of the twelve men who were named by the new Godis, for which provision was made about the year 1004. Altogether, the court consisted of forty-eight judges. Not all the forty-eight sat in each case. Members who might be disqualified to serve on account of interest, relationship, or bias were eliminated in a manner suggesting the challenge of jurors under the American system. The judgment was actually pronounced by thirty-six. It was the right and duty of the parties to reject twelve of the forty-eight.

This court, as has been said, had both a quasi appellate and original jurisdiction; that is, cases could be commenced in the court or taken to it by transfer from other tribunals when no decision had been reached. All suits which failed of final decision in the Quarter Courts for want of a sufficient vote came before this court; it likewise had jurisdiction of a special class of cases including perjury, false verdicts, bribery, and public disturbance at or contempt of the Althing. Due to the importance of the court, the rules were more exacting; two men pledged their sacred honor in support of each person who made an oath upon any matter. In this tribunal a majority of the judges sufficed to decide, and in case of a tie a fine was imposed; but if the case in which the tie occurred was one which had come up because another court had been unable to agree on or reach a verdict, the decision was by lot. The Fifth Court sat in the place where Logretta deliberated.

One of the striking features of the place where Althing convened during the Commonwealth was the large number of sumptuous booths, or temporary quarters, which were maintained by the Godis and other prominent men. They remind us, rather remotely, it is true, of the luxurious "headquarters" which political leaders, bosses and candidates set up at prominent hotels during the National Conventions of the major parties. The motives were different. Then it was that the chieftains and their friends and retainers might be comfortably housed during the sessions of the Althing; the purpose was utilitarian and in the interest of genuine hospitality. The booths were constructed on the banks of the river on both sides with narrow alleys between; sometimes they lay irregularly, scattered upon the plain or on the hillside.

Ruins still remain to testify to the existence of excellent quarters for the accommodation of members and attendants upon the sessions. But Time's ruthless and irreverent hand has dealt severely with these "summer homes." The river has undermined the foundations; much soil has crumbled and been carried away; and men in later centuries have impiously torn them down. Of the remnants still to be seen it is difficult to say which belong to the period of the Commonwealth, because the Althing convened on the same spot until the end of the eighteenth century. The old booths were used from one century to another, with the result that some were changed and rebuilt from time to time.

The plan of the booths was very simple, but sufficient to meet the requirements of the day. The door was normally in the middle of the wall, although sometimes near the end. A chamber, or separate room, was usually provided, probably for the storing of food, travel equipment, etc. Sometimes a kitchen was built apart from the main booth. The walls were made of turf and stone, not uncommon building materials to this day. The booths were left without a roof during the year and when the Althing was not in session. When the owners were ready to occupy their booths they spread a tent cloth over them and the walls inside were lined with woolen cloth. In the better class of booths there was a platform in one end; and, in some cases, a sort of high-seat, or throne. The high-seat was probably opposite the entrance. There were no beds, but men slept in sleeping garments along the walls with their feet towards the middle of the room. They were occasionally, but not often, fortified.

The Sagas describe many of these summer quarters, identifying them with the owners by name. Evidently some were elaborate and well built, as prideful possessions of the owners as are the lakeside cottage and the mountain lodge of many a city dweller in our country. The booths of the Godis were large because, under the law, each Godi must furnish quarters to the men attending the Althing from his jurisdiction. The right of the retainer in this regard was clear and binding. While only one-ninth of his men were required to attend the Thing with the Godi, yet the booth had to be of generous proportions to accommodate those who were obliged to attend. It appears, also, that prominent men, other than Godis, maintained their own booths at the Althing; the Sagas show that they often attended the sessions accompanied by several men, especially if they happened to be engaged in litigation. For example, Njal, one of the most famous men of his time, kept such quarters although he was not himself a Godi.

In addition to the booths of the Godis and of prominent yeomen who attended the Althing, there were smaller booths erected and maintained by workers, or persons who came in search of employment. These stood apart from the main group because the owners were deemed of little consequence in the social order.

The old law provided that booths should be locked during meal-times, and there was a rigid prohibition against giving vagrants food. If a vagrant approached a booth, begging for food, he must be forcibly and promptly ejected. Such a person had few rights and might be severely handled so long as he was not maimed.

It is not strictly accurate to say that vagrants were entirely without rights, for if they were severely injured, they might be entitled to redress. On the whole, their lot was not enviable. There was but small disposition on the part of these Icelanders to pauperize their citizens through coddling generosity. The truly destitute were taken care of adequately in another manner. It seems possible that these severe provisions in the law were not always literally enforced because if they had been, vagrants would not have frequented the sessions as regularly as they seemingly did. Of course, there was a certain sporting element involved which may have led some to come.

On Thursday in the eleventh week of summer (the eighteenth to the twenty-fourth of June), members were required to be present for the opening of the Althing. The sessions lasted two weeks without interruption. The Law-speaker, the Godis, and those who had legal business were obliged to appear at a certain date and if they failed were subject to a fine. Every ninth yeoman was bound to accompany his Godi to the Althing, if the latter demanded. Who should go was determined by agreement, or by lot, at the Spring or local Thing; those who would not go were obligated to pay a certain tax, the proceeds of which were used to defray the maintenance and traveling expenses of those who went. This tax was a general tax, but it was not onerous, because, for one thing, it was in the power of everybody to escape the tax by attending the Althing in person.

From the Sagas we infer that large numbers of the yeomen chose to attend rather than stay at home. This was natural, in the circumstances. The life of the individual was intimately connected with the affairs of state. Every yeoman who attended might be called upon at any time to participate in public affairs, in the business of Logretta, the Quarter Court, or the Fifth Court. It was, therefore essential that he take every opportunity to familiarize himself with the public business; this he did by regularly attending the sessions of the Althing. It goes without saying that under this system the interest of the individual in government was keen and sustained; feeling himself subject to call to the public service, he took pains to be prepared when the summons came. It was only by attending that he could learn the law at first hand. It should be noted that occasionally matters came before the Althing which involved the interests of whole groups or communities, and, consequently, men came from mixed motives of curiosity and self-interest.

There were other reasons, less momentous but none the less impelling, which made the sessions of the Althing attractive to the people. It should not be supposed that only the yeomen attended. Upon occasion the Sagas indicate the presence of a substantial proportion of the population, including women and young persons. At these meetings the national life exhibited itself in its most interesting, attractive, and complex aspects. On the one hand was the serious business of government, lawmaking and judicial administration; on the other was the social intercourse, with abundant opportunities for enjoyment and pleasure afforded both young and old. There were to be seen the great men and leaders of the island from every Quarter, and persons of note, known in all parts of the land because of exploits at home or abroad, or because of ability, or hospitality. There came the sons of prominent men who had been abroad and received recognition, or won renown in the service of princes and of kings. And last, but not the least interesting, here were to be seen in a concentrated blaze of glory the beautiful and accomplished women of the land. The daughters of Godis, of powerful politicians, of judges and of lawmakers, decked in the regal splendor of the day, appeared, as do the damsels of the twentieth century, who may be seen on gay parade on the beaches or on our Fifth Avenues. Many a young man lost his peace of mind on these occasions.

During the two weeks that the Althing was in session night was day and day was night, because not only was merrymaking carried on into the wee small hours of the morning, but the serious business of the Althing was frequently conducted at night. The intervals of respite from the public business, the people spent in pleasure and social gayety. Young men competed in athletic feats, while the older men arranged feasts for their friends.

On Thursday, in the thirteenth week of summer, just two weeks after the opening, the Law-speaker announced that the session was ended. Then the good days were over, and the serious business of making a living must be resumed. The yeoman stripped the booths and prepared to leave for their homes; the structures stood open and unoccupied; and the place where the Althing had sat was denuded and took on an entirely different appearance. The summer night again spread its soft mantle over Logretta, and in place of the noise of merrymaking and the voice of contention in the forum came the soft murmur of the falls.

In an existence which otherwise was monotonous, sometimes bleak and hard, a session of the Althing was an exhilarating event. Its brief two weeks were like a meteoric flash of light in the somewhat dreary routine of daily life. This national gathering was the one event towards which young and old alike looked forward with pleasurable anticipation; and the memories of these days lightened the sombre months which followed like the lingering glow of a brilliant illumination which has just disappeared beyond the hill.

CHAPTER IV

Local Government

TRAVELERS in Iceland, who have closely observed the topography of the country, have noticed curious remains of structures long since razed, and in some instances completely buried. If the locations be carefully considered it will appear that the spots were chosen because of certain obvious advantages of location and natural beauty. Water, firewood, and pasture are conveniently accessible; and where these structures were near the sea there is usually a passably good harbor, either close at hand, or within a short distance. It is not a mere coincidence, even in a country which Nature has lavishly adorned with scenes of extraordinary charm, that the view is always interesting, and sometimes magnificent. These remains are what is left of the places where the citizens of the Commonwealth held their Spring Thing, or Court; and disintegrated foundations or crumbled walls are all that remain of the booths occupied by the Godis and prominent men during the sessions.

After the changes of 965 there were thirteen local Spring Things, three in each Quarter, except in the northern Quarter where there were four. The names of the Things, identified with the place where they convened, are frequently mentioned. From the description in the Sagas it is possible to reach fairly accurate conclusions concerning their location. One of the best known was Hegranes Thing, in Skagafjord. A reference to major details concerning this democratic assembly and the place of its meetings, may be taken as a typical example of this class of local governmental agencies.

The Hegranes Thing convened on an island, or peninsula, formed by the branches of a river as they flowed to the sea. The island is approximately two miles long and from one-half to one mile wide. This was the meeting place of the men of Skagafjord, in northern Iceland. At the northern end of the peninsula is a plain which skirts the eastern branch of the river, and on the northeast part of the island the Thing sat.

From the meeting place a bench of land slopes towards the plain. There are signs that point to the existence, in early times, of a harbor below, now obliterated by debris and filled with silt deposited by the river. Along the river bank is the lowest row of booths reaching to a deep grass-covered hollow, and there appear remains of about fifteen of these temporary quarters. Then comes the second row a little higher on the slope with about eleven booths; and at last the topmost row with approximately twenty. Altogether, we find here evidence of about fifty booths. The largest structures are seventy by thirty-one feet, and seventy-one by twenty-seven feet.

There are also two circles, one about twenty-three feet in diameter from north to south, and ninety-four feet from east to west. The second circle more resembles an elevated stage. At the north and the south there seem to have been doors. There has been some controversy as to the true nature of these ruins, but the conclusion has been favored that this is a place analogous to that where Logretta sat at Althing. Of course, such a body did not exist in the local Things for the reason that they were without legislative power. The general appearance of what remains indicates that here sat a judicial tribunal of some kind.

This meeting place of an ancient Thing is one of the attractive spots of the island. From booths, sometimes high upon the slope of a hill, the river and the plain below meet the eye. The point commands a view of the inlet, whereas in the opposite direction lie hills and mountains.

While the local or Spring Things had a definitely circumscribed jurisdiction, they were not set off by territorial boundaries as are our townships, counties or other political subdivisions today. The erroneous impression that there was a definite territorial jurisdiction, determined by metes and bounds, probably arose from the fact that such boundaries were drawn later, after the island came under foreign rule. The present counties *(Syslur)*, it is true, follow quite closely the boundaries which were fixed when the country lost its independence. For example, the Arnes Thing became later Arnes County.

The very nature of the power of the Godis shows that it was not confined within territorial limits. A Godord, in its origin, rested in the voluntary agreement of two parties, the Godi, on the one hand, and the individual, on the other; either party was at liberty to terminate the arrangement at will. The individual who was party to this agreement was called Thingman; that is, he was a member of the Thing in the jurisdiction of the Godi to whom he was, for the nonce, attached by the agreement. The Thingman had the right to transfer to another Godi, but in order to establish the new connection it was not necessary that he change his residence or abandon his abode. It resulted that a Godi might have Thingmen scattered throughout the Quarter. The relation between Godi and Thingman was personal.

The Things were, in reality, nothing but joint meetings among three Godords for political, judicial and governmental purposes. The Thingmen of the three Godis who had joined in a Thing were called *pridjungsmenn* (literally "one-third men"), for the reason that they participated in the proceedings upon a one-third basis. The three Godis, or chiefs, under the law, had equal rights and prerogative powers in the Thing; they presided jointly and, as a rule, stood together when any opposition developed from the outside. It was customary to regard one of the three as a head man, or leader, it being his duty to announce judgments and agreements, to conduct the opening ceremonial, to proclaim solemnly the sanctity of the meeting and announce decrees. There is reason to believe that the Godi to whose lot this fell was the one living nearest the meeting place.

As the Althing was the focal point of the National Government, so was the Spring Thing the axis of civil administration in the small community. It was a representative assembly, consisting of members from three Godords. The Thing had jurisdiction in all local matters and stood in a definite relation to the Althing. The Godis, who presided, had a seat in Logretta, and were important cogs in the general machinery of justice and of lawmaking. The government of the Commonwealth presented a unified and smoothly integrated whole.

The local Things fell into two divisions, one being judicial in character while the other was really a Debtors Thing. The former was required to be in session not less than four days, but not more than one week. It considered all cases within the jurisdiction, pronounced judgments, and arranged compromises. When the business was finished, the Thing came to an end. After the adjournment of this session, the Debtors Thing convened. It sat one day, never more than two days. Before this session obligations among men in the jurisdiction were adjusted and discharged. The Debtors Thing was really a sort of universal settlement, or pay day. Sometimes it convened at a place other than the regular meeting of the local Thing.

The central body of the Spring Thing was the Thing Court. In this tribunal thirty-six judges sat, twelve being named by each of the three Godis. To it came customarily the controversies which arose within the jurisdiction of the Chiefs, or Godis. It was permissible, however, to take such cases directly to the Althing to be there decided in the appropriate Quarter Court, if the parties chose. The judges sat inside the judgment circle, the arrangement being similar to that of Logretta at Althing.

It has sometimes been supposed that the local Thing possessed limited legislative powers. If that be true, it was within a very restricted sphere. The Things had the power to frame rules concerning the conduct of their own business; probably also, they made rules or decisions concerning certain local matters. The Thing had the power to fix prices within its jurisdiction.

It was always understood that the rules of the Spring Thing must not conflict with the laws of the land, as adopted by the Althing. The central government was admittedly supreme; there could be no conflict between local and national authority. Beyond these purely local matters the legislative power of the local Thing did not go, at least not after the Althing was established and a national government founded. When a controversy had been settled or a judgment reached the Godi who had opened the Thing announced from the bench the result in the hearing of the people. The local Thing was, in fact, a preparatory assembly for the meeting of the Althing. It was attended by the ablest and most public-spirited men in the community; and matters of public concern were freely, sometimes violently, debated. If it seemed desirable that the national legislature deal with a given problem, an understanding on the point was reached. There it was made possible to exchange views and air opinions; and if the old Icelanders were as fond of contentions as are some of their modern descendants, it is certain that the disputation was vigorously and warmly conducted. It can scarcely be doubted that some laws enacted by the Althing owe their origin to agitation begun at a local Thing. At this period in the history of the Commonwealth the government, in all its branches, was democratic; the will of the people, that is, the men who were not officially connected with the government, found a ready means to make itself effectively known and felt.

In structure and mode of procedure the Thing was similar to the Althing. The prominent men maintained booths and lived in impressive state. Some well-known men in the history of the island owned booths although they were not Godis. These quarters were sometimes large, affording accommodations for many men. In most respects these structures were like those at the Althing, and were built upon much the same plan.

At the Things were also the booths of beggars and vagrants. One interesting instance is mentioned. A vagrant, by the name of Hallbjorn, wandered from place to place, with ten or twelve men in his train. He set up his booth at a Thing each spring and invited beggars and vagabonds to make his place their headquarters. He seems to have possessed some of the talent for leadership which won fame for General Coxy at a much later date, although it does not appear that this prince of vagrants succeeded in perfecting any kind of organization among the Vikings of the open road. There were powerful discouragements in the way. Capital was, as usual, safely entrenched, and, though the injunction had not been invented, these Icelandic capitalists had their own effective method of dealing with individuals who thought they could eat without working.

The Things afforded an opportunity for the enterprising merchant, as leaders from every locality in the jurisdiction were there. While all Thingmen were in duty bound to attend, some persons came mainly for the purpose of purchasing staple commodities. Although the session took place, as a rule, before merchant ships had begun to arrive, yet some traders had merchandise on hand since the previous year, and a few energetic sailors may have arrived before the sessions closed. They knew the time and place of meeting and appreciated that the Thing was a first-class market.

The local Thing was very similar to the Althing; and social life at its sessions followed the model of the national meeting. Life was vivid with novelty and change, a miniature of the larger body which met at Thingvellir (the plains of the Thing). To the Thing came all the prominent yeomen within the jurisdiction; and the young people of both sexes found in it some, if not all, of the thrills of our modern college homecoming day. It was a convenient and useful meeting place for the old, and a social event of the first importance for the young. There were entertainments and athletic contests, wrestling matches, amusements and various trials of skill.

Occasionally, on the other hand, fiercer interests engrossed the attention; swords flashed and the clash of contending arms sent echoes rolling among the hills. Hot blood and high spirits might refuse to abide the decision of the civil tribunals. In such circumstances an opponent might be kept from attending the Thing, or, if the controversy had gone to judgment, the proceedings might be nullified by force. It is noticeable, however, that resort to violence as a substitute for the decisions of regularly constituted bodies, is generally condemned in the Sagas, and it is said that the wisest men frowned upon such exhibitions of lawlessness.

Icelanders during the Commonwealth maintained three Things each year which were called "Skapthings," meaning simply ordinary assemblies or meetings. The first, in seasonal order, was the Spring Thing, the second the Althing, and the third the Fall Thing or Leet. The last named Thing, or Leet, was required to be held at the same place as the Spring Thing; but it might convene elsewhere, provided Logretta gave its consent, and special reasons existed for departing from the regular rule. From the fact that many such meeting places are mentioned we infer that permission was often requested and easily obtained. The Leet convened not less than fourteen days after the dissolution of the Althing, but not later than the latter part of August. Its sessions could never exceed two days, but must at least extend through one full day.

The Fall Thing was a national necessity, a substitute for the press and other current means of popular enlightenment. Its purpose primarily was to give that part of the population which could not attend the sessions of the Althing an opportunity to become informed concerning the public questions which came before the national body and the events which had there taken place. It was believed essential to the well being of the commonwealth that every person have accurate knowledge of the manner in which the public business was transacted, and it was indispensable that the public should be correctly advised as to the law. The three Godis jointly conducted the Fall Thing; the Godi, who, with certain ceremonial rites, formally opened the Thing, proclaimed all changes in or additions to the law which had been enacted during the session of the Althing just closed; he announced all fines, special leaves or privileges, and the holy days for the next year. These formal announcements out of the way, the forum was undoubtedly thrown open for the discussion of local matters.

While the Fall Things, or Leets, were essentially different in purpose from the sessions in spring, there was a very real similarity. They were attended by crowds of men and women. Some were there to learn about public questions and occurrences at the Althing, while the motive of others was curiosity, or simply the pursuit of pleasure. Sports and games relieved the daily routine, and the occasion was made festive like the meetings of other Things. Ball games were played and tournaments conducted. The main object was to maintain the interest of the people in its own government and to keep up a connection between the national government and the citizens. It goes without saying that the practice was well calculated to keep alive interest in public affairs, as well as to quicken a sense of individual responsibility for the conduct of the public business; and the State itself was thus steadily reminded that the collective business was from the citizen not wholly a "thing apart."

Much has heretofore been said of the Godis and their power, the Godord. Their position in the Commonwealth was of the greatest importance; indeed, the governmental scheme and the social structure cannot be seen in its true light without an appreciation of the function of these local chiefs. The relation between the Godis and the Thingmen, *i.e.*, the individuals who were in law attached to each Godi, must be clearly perceived before the plan of the government can be understood.

The Godord had a dual aspect. It was at once a public or governmental institution, and personal property. In its governmental character it was the main or central point of the political system, national and local; as private property, it was subject to sale, and to transfer by succession. It could be distributed among many persons; but if that was done it was usually provided that some individual discharge the duties of the Godi in behalf of all the others, or this obligation might be performed in rotation by different persons, according to agreement.

The old tithe laws afford some evidence of how the Godord was considered. It was exempted when the tithe was calculated, because, as the old law book, *Gragas,* pithily says, "It is power, not property." It may be inferred that the Godord, like an American ambassadorship at the Court of St. James, was considered more of a liability than an asset to the incumbent, from the material standpoint; and while these sons of the Vikings loved glory, as all men have loved the hollow bauble, they did not attempt to estimate its value as a basis for the payment of this tax.

The public duties of the Godi have been mentioned. These chiefs were entitled to a seat in Logretta; they alone had the power to vote; and they appointed the members of all the courts at the Things. It thus appears that they had a favored place in the government of the nation, inasmuch as they had both the legislative and judicial machinery largely under their control. Likewise, they had the power to appoint men to certain special tribunals, such as *féránsdóm,* or court of execution, held at the home of one who had been found guilty and sentenced; and they were, ex-officio, foremen in certain other bodies, such as the "Godar Court," which each Godi organized by the appointment of eleven of his Thingmen, who, with him as the twelfth, rendered verdicts, or judgments, in certain classes of cases.

The influence of the Godi in local government was powerful. His jurisdiction was not territorially restricted, and, in consequence, a strong man could make his influence felt widely. It appears that a species of executive power was, by common consent, lodged in him, within fairly well defined limitations. The Godi, for example, deemed it his duty to maintain peace in the community, and even to use force when persuasion failed. If disagreements arose among his Thingmen he attempted to bring about a peacable settlement, or compromise. As a quasi keeper of the common peace, he realized that such differences, if not promptly adjusted, might mature into feuds and bloodshed. It was his duty, in popular conception, at least, to rid the community of robbers and thieves, and remissness in this regard was sure to bring complaint and censure. In the main, the Thingmen themselves demanded that the Godi take a responsible part in the local government and insisted that he bestir himself in their behalf. There appears to have been little popular jealousy of his power; on the contrary, much was expected, indeed, required, of him; and the Thingmen, in the main, were good-naturedly tolerant of occasional officiousness on the part of the Godi. His power has sometimes been likened to that of the American political boss; but he did not have so cohesive or so servile a following; he had much less tempting material rewards with which to hold his retainers.

The Godis owed certain duties with respect to business transactions with foreigners and those foreign merchants who offered their goods for sale in Iceland. The merchants were not always willing to acknowledge any right in the local Godi in this regard; but usually they had no choice but to submit if the latter chose to exert his power. There are incidents which show that the Godi would forbid a foreign merchant to offer his merchandise, and, to some extent, dictate the terms on which it should be offered to his Thingmen. If the sources be historically accurate they perhaps mean no more than that the Godi, by reason of his prestige, could, when he felt so inclined, exert power somewhat beyond the margin of the law, for no statute has been found which gave him the authority in this regard which, at times, he appears to have enforced. In time a committee of three managers or wardens was named in each community to have general power with respect to merchandise offered from abroad, and no one was permitted to trade otherwise than at the place fixed or approved by the committee. This was in accordance with a law on the subject.

In addition to the Things established by law, over which the three Godis jointly presided, each Godi had conferences with his own Thingmen. Such meetings were not always held at fixed times. If some special business pressed which needed attention, a meeting could be arranged. For example, when times were hard, the winters severe and famine and hardship impended, sessions were called. Matters of common concern were discussed, and differences existing in the community were informally adjusted. It was also customary for the Godis to ride horseback throughout their jurisdiction—riding the circuit—to investigate the circumstances of their Thingmen. It was the duty of the Thingmen to furnish food and lodging to the visiting Godi. The burdens upon the people, due to the billeting of a numerous entourage, were very substantial because the Godi sometimes traveled with a large company. It was no simple matter, especially in hard times, to accommodate him and his party. An instance may be cited. One Godi is mentioned who traveled with thirty men and remained as long as seven days at the same home. Obviously this charge upon the hospitality of the Thingmen could have become intolerable, but for the fact that the connection might be severed at will, and a Thingman, while he respected a Godi—so long as he continued respectable—did not fear him.

From what has been said it is clear that the Godis had wide powers and much influence, both at the Things and in the community between sessions. While occasionally a Godi became exacting and officious, it is likely that he was ordinarily a mild and accommodating individual in his relations with his Thingmen. The reason for this is not to be found in a lamblike disposition, rather in the fact that self-interest suggested considerate treatment as the most expedient course. After all, these chiefs owed all their power to and derived all their influence from, their Thingmen, and if the latter left them their power dwindled, and they dropped to a position of comparative unimportance in the state. The system effectively secured the citizen against the designs of selfish and arbitrary power. The Thingmen were far from being dependent upon or subservient to the Godi. When the Godi acted meanly his Thingmen sometimes conferred in the interest of the victim. There were practical checks upon his power which prevented a consistent or continuous course of oppression.

The place of the Godord in the governmental scheme, as well as its essentially democratic character, appears perhaps most clearly in the provision which the law made for the succession. If the incumbent was unable to perform the duties of his office, either because he went abroad, or because of ill health, and if he was without a son of lawful age, or other close relatives within the Godord who could act for him, it was his duty to have some "one-third-man," or member of the Godord, perform the duties. Beyond this jurisdiction he could not go for a substitute. If the office was vacant, either because the Godi had forfeited it—this might occur for very slight reasons—or because he had died suddenly without leaving competent heirs, the "one-third-men," or liegemen, that is, the members of the Godord, were bound to administer the office according to their own pleasure. Some individual was then usually designated to perform the functions, or the selection was made by lot. It was so provided in the law. It thus appears that the public Things had nothing to do with the office of Godi, but the members of the Godord alone had the legal right to administer it in case of vacancy from any cause. There was thus a distinct sense of local government manifested, suggesting the smaller political subdivisions of other countries at later dates. In this principle there was an active germ of real democracy.

Whatever may have been the dignity and power of the Godi, he was not an officer of the Icelandic republic;

there was only one civil officer during the Commonwealth, namely, the Law-speaker. He was elected by the Logretta and received compensation from the public. The position of Godi, on the contrary, was private and hereditary. The Godord was in the nature of freehold property, owned by individuals and transferable by them at will. No compensation or salary from public sources was attached to it. The Godi, of course, received some income, but it was uncertain, indefinite, and in most, if not in all cases, wholly inadequate to meet the usual and necessary outlay. The principal source of revenue, prior to Christianity, was the temple toll, or fee. The Thingmen were required to pay this stipend when the Godi looked after the temple of the ancient gods; the Godi, on the other hand, was obligated to supervise all sacrifices. The Thingmen were also required to pay their Godi a certain fee when they did not attend the Althing; but the majority of capable men probably attended, and, moreover, the amount thus collected would be consumed by his Thingmen who attended, for it was the duty of the Godi to provide booths, booth room and maintenance for them.

The Godi was entitled to certain fees for services performed by him of a judicial character, like inducting a slave into the complete civil status of a freedman; but these fees were small. He was the legal heir of foreigners, if they had no relatives in Iceland, or no partner or messmate on shipboard; but the Godi was bound to represent the interests of foreigners slain in the island if they had no legal representatives qualified to act. This last named source of income was uncertain and comparatively unimportant, because, in most instances, foreign merchants had partners, messmates, or associates, with the result that the Godi did not inherit. Like a Democratic chairmanship in Pennsylvania, the prerogative of the Godi was seldom profitable; and, unlike the position of a Republican National Committeeman in North Carolina or Mississippi, it was always honorable.

Local government was a primary school in politics. In this scheme consideration should be given the small subdivision, or governmental district, called a parish. The parish differed from the Godord and Thing in the fundamental particular that the former was marked by fixed boundaries, somewhat after the fashion of the American township. The main reason for this distinction was the problem caused by persons who became public charges. A parish was legally constituted if there were twenty, or more, freeholders resident therein, subject to the payment of the Althing fee. In each parish five freeholders made up the governing council, or body. They were called *Sóknarmenn* (literally, "plaintiffs"), for the reason that it was their duty to prosecute all cases against individuals within the parish who were delinquent in financial matters.

The principal duty of the parish committee or council, pertained to the care of paupers, a subject with which the law deals in much detail. The principle was that the next of kin were legally bound to take care of the destitute, the duty in this respect devolving on persons in the same order of relationship as that prescribed by the rule under which property descended to relatives upon the death of the owner. The primary heir owed the primary obligation of support, and so on, depending on the closeness of the kinship. These principles were very rigidly applied. Children without sufficient means to take care of needy parents must arrange for their support by other relatives, while the children themselves were apprenticed to such relatives in compensation. The status thus created was not that of a servant, but rather that of a slave. When the relationship was more distant than that of parent and child, the relatives were under a legal duty to maintain the dependents as best they could, but the obligation did not go to the extent of requiring that they virtually sell themselves into slavery. If a freedman became destitute and had no children his former master was bound to provide for him. Obviously, these rules concerning paupers were calculated to and did lessen the public burdens due to destitution in the parish. It was only when a pauper was without relatives that he became a public charge. The scheme had little natural tendency to pauperize individuals, while at the same time, it made adequate and human provisions for the genuinely needy.

Public charges were supported in different ways. The pauper might circulate through the parish, remaining a certain length of time with a family. Those with whom he was billeted were required by the law to support him in a style at least equal to that of their servants. Again, food might be given on certain holidays and during feasting periods for the need of the poor, one meal from each freeholder. Then, there was a pauper's tax, in the nature of a tithe, as a third mode of meeting the situation. The parish council had duties concerning the support of the poor analogous to those performed by the county commissioners, or the overseers of the poor in many of our American States. The pauper tax was based on property valuation.

When a person was not a legal charge upon any parish on the island, the duty to care for him devolved upon the

Commonwealth. If a foreigner, without relatives in Iceland, became destitute, the Quarter where he lived was bound to maintain him; and dependents or relatives of outlawed criminals, were, if needy, a charge upon the Quarter. Poor persons of this class were permitted to travel and beg; they were licensed vagabonds, so to speak, but without legal rights. To provide support for destitute individuals has remained one of the principal functions of the Icelandic parish down to the present day.

Another interesting, but long since abandoned, duty rested on the parish. This political subdivision was liable to compensate the people who lived therein for damages to their livestock and to their homes. The rules concerning compensation on account of damage to livestock were carefully framed. If the stock died from disease and the owner lost one-fourth, or more, the parish must pay the loss. Within two weeks after the disease had run its course, the owner was required to summon five of his neighbors to estimate the damage. The owner was required to exhibit the carcases and the skins of the animals that had died, and to swear that his loss was equal to or in excess of that which his neighbors estimated it to be. In addition, he had to announce publicly, at a meeting of the parish, the extent of his damage, whereupon the freeholders were bound to make him whole. Obviously, the theory of this system was that every member of the community should have an interest in refraining from conduct which might result in such costly calamity. The amount of the damage was apportioned among the people on the basis of property ownership so that the wealthiest paid the largest amounts. The assessment in no case, however, could exceed a maximum of less than one per cent.

A like scheme was in force relating to damage to houses and buildings by fire; three classes of buildings were under this protection. One was the parlor or main living room, the other was the *eldhús,* or building where the fire was kept up, and the third, the stock room or larder, the place particularly where the women prepared the food. If a man had both a fire house and a *stofa,* or living room (sometimes a "ladies'" room), he was required to elect those which he desired to be protected, the election to be made at a meeting in the spring. It was only the important buildings on the homestead that were insured by the community. If a church or a house of prayer was on the premises it might be counted as the fourth building for the purpose of this insurance plan. If the buildings protected were destroyed by fire, the procedure in assessing the damages and making compensation therefor was essentially the same as in case of loss of livestock. Every man was entitled to have two fires, but after the second fire he became a bad risk and must carry his own insurance. They understood human nature.

In every parish three meetings were held each year, the first at Lent, the second following the spring or local Thing, and the third in the fall. At these meetings parish matters were discussed, licenses to build were granted, and the like. Each meeting formulated its own rules of procedure. The council, or committee of the parish, directed the meetings, and if men did not attend, either personally or by proxy, they were subject to a fine. Special meetings were sometimes called. A freeholder could demand a special meeting if he had some urgent matter which needed attention, or if he was illegally required to support a pauper.

The parishes were self-governing and independent in the highest degree, having no connection with the government of the Commonwealth. The conclusion is irresistible that the people were jealous of their liberty, never yielding any part of the right of local self-government, notwithstanding certain attempts of the Althing at usurpation. This political freedom explains, to some extent, the high level of culture and civilization during the period. Some day some psychologist may discover and explain the very close connection between political liberty and mental alertness. Responsibility for the conduct of a government, be the division never so small, is the greatest and safest of intellectual stimulants. No people can govern itself successfully without wakefulness and understanding of human nature.

CHAPTER V

Law and Justice

"LAW," said Sir William Blackstone, "is the embodiment of the moral sentiment of the people." Customary law is the mirror of the habits of thought, of the ethical development, and of the intellectual endowments of a nation. It is the most veracious witness to the degree of culture which a people have attained, or to which it has aspired, at a given time; and its collected codes are the distillate of the reason and the conscience of the age, reconciling, wherever possible, abstract notions of justice with the practical needs and daily concerns of the people.

"By justice shall our country be maintained and not by lawlessness ruined." Thus spoke Njal, one of the greatest lawyers of Iceland and the Scandinavian North, himself later (in the year 1011) a victim of the very wantonness against which he had warned. The essential point of the observation was, in one form or another, a common adage throughout all the countries of Scandinavia. Scandinavians, for as long as history records, have, in the abstract, at any rate, had high respect for law and for their conceptions of legal justice. From the earliest times they believed that law and respect for its mandates were the first requisites of permanent and successful civil society. The Icelandic people, during the period of the Commonwealth, had a right superior to that of most of their contemporaries to engrave this maxim upon their shields, because law, and justice under the forms of law, in the judgment of competent students, then attained a higher degree of development in Iceland than in any other European country.

The claim to superiority in the field of the law is startling when we recall that this small nation lay on the very rim of the Arctic Circle, far beyond the outermost lanes of ordinary ocean travel, in a severe and uninspiring physical environment. That there should here have flowered a legal system without a parallel in the sound and statesmanlike character of its provisions for the needs of the time, is interesting to the student of legal history.

When the circumstances are more closely examined the phenomenon sheds its superficial mystery. In other countries of Europe towns and cities early became the focal points; there was in no real sense a national life. Although urban existence was not monotonous, the attention of men was concentrated largely upon the externals, such as commerce, industry and trade. After a time, the relation originally existing between the community and the yeomen in the country became less and less close, and the gap between city life and country life, between the chieftain class and the common people, steadily widened. Divergent interests led the various classes of the population away from each other.

In Iceland the Althing, early in the history of the Commonwealth, became the pulsating center of a real national life. At this annual gathering, to which the cream of the population came, the life of the people unfolded in its most interesting and most glorious aspects. While the social features of the Althing were of much interest, the principal attraction, from the very beginning, was the discussion of legal and governmental questions. Subjects of large import came before it, and the welfare of the people, as a whole, was its main concern. Living conditions were virtually uniform throughout the island; for, as has been said, there was only one class, namely, the yeomanry. Popular feeling and governmental purpose ran a parallel course; there were no conflicting economic interests or objectives to divide or disturb the general equanimity.

The Althing was the axial point of the Commonwealth, in close contact with the people; and there is little doubt that at all times it approximately reflected the seasoned popular will. It was a national institution in a much different and a much more comprehensive and significant sense than the local Things, or Moots, among peoples in other parts of Europe. It had a distinct place in the national economy, suggesting that of the Olympic games in the life of Greece. It was a unifying force; it brought together individuals; it stimulated thoughtful argument and interest in every direction; and it cultivated the feeling of nationalism which ever since has been one of the conspicuous characteristics of the Icelandic people. Observers have sometimes remarked that this branch of Scandinavians exhibit a cohesiveness, a race consciousness, almost beyond comprehension. If that be true, it is a habit of long standing, fostered by glorious traditions, the foundations of which were laid deep and strong at the annual sessions of the ancient Althing.

Early in the Middle Ages the kingship developed rapidly in northern Europe; and under the protecting ægis of royalty favored classes arose whose members enjoyed special privileges. These grew in avarice, in arrogance and in power until they became the economic and political masters of the common people. Between them and the king there was the bond of a common interest and a common purpose. They joined forces until, in a great portion of Europe, the people had been largely divested of their civil and political rights; and all prerogatives became the property of a comparatively small group with a king at its head. This tendency became especially marked after the consolidation of the small kingships when large kingdoms and empires appeared. The royal power, in the course of the centuries, grew to enormous proportions; and by wholesale the masses of men were left out of consideration. The interests and feelings of ordinary men could be safely despised.

As the nobility advanced in power the independence of the people gradually disappeared. Like the parasite, which thrives at the cost of the tree around whose trunk it entwines itself, the rising kingship, especially after the lower nobility had begun to decay, sapped the national vitality. With the loss or denial of the right to participate in government, all interest in the public business died and the people sank into intellectual stagnation, and moral decline.

After the establishment of the consolidated monarchy in Norway, Iceland became the refuge of liberty-loving men. In that remote region the principles of civil liberty and of equality before the law were vital forces for ages after both had been destroyed elsewhere by the encroachment of the higher aristocracy and the royal prerogative. It is true that a special group of men, the Godis, had the dominating influence in the National Government and in lawmaking, yet the public was not excluded from actual influence, and locally the people ruled without domination from the center of the stage. The Sagas show that large numbers attended the sessions of the Althing, not merely for the purpose of serving as witnesses for others, but rather, perhaps primarily, as spectators, and to make their sentiments known and felt. At the Althing matters of momentous and general concern might arise, and nearly every able-bodied person of consequence was prepared to take part in its counsels.

Here, also, the citizen found the best opportunity to learn the law; he might at any time be called upon to take part in the proceedings, as a member of a jury or inquest, as an assistant to a Godi in the Logretta, and as a judge of the Quarter Court, or of the Fifth Court. This ever-present possibility of call to the public service exercised an enormous influence in keeping alive the interest of the people in the law, and in all governmental operations.

Still more important, from the standpoint from which we are now viewing the constitution of the Commonwealth, is the fact that every man, by being present, could have a direct influence upon the members of the lawmaking branch. The citizen, in all matters in which he felt personal concern, had a first-class opportunity to have a law enacted on the subject if he attended and made his wishes known in the proper quarter. As has been pointed out, doubtless many provisions of the law owe their essentials to influence of this sort. The relations between the legislative body and the public was close, and the Logretta was at all times responsive to the public will.

The Sagas contain conclusive evidence that the early Icelanders were industrious and enthusiastic students of the law. To become thoroughly familiar with legal principles was a primary duty; and a kinsman who failed in this regard towards a young relative was guilty of serious negligence. Incidents and illustrations from the Sagas could be multiplied. For example, we find it said that a certain young man lived with an older citizen studying law. Njal, a great lawyer and a wise statesman, took a brother-in-law of Helgi Njalsson into his home and taught him law so that the pupil became the greatest lawyer in Iceland. When the teacher was later burned in his home, with his family and retainers, and the prosecution of the guilty men was conducted at the Althing, the pupil demonstrated his legal skill. About and after the year 1000 the sources of Icelandic history mention many men who were famous for their learning in the law. Some are described as great trial lawyers, and some as so well informed in legal science that judgments were deemed of doubtful validity unless they had had some connection with them. Others are described as lawyers without peers, and some as legal strategists, ranking third among the leaders of the Icelandic bar. Frequently individuals are described as "great lawyers," as "wise in the law," or as specially gifted in this field.

Enough has been said to show the emphasis which was laid upon the study of law. No other field was seemingly so important, and in no science or no branch of learning was pre-eminence so universally sought and cultivated and so generally esteemed.

It would be a mistake to attribute the general knowledge of the law, so marked among the people, to nothing more than the mere desire for learning. On the contrary, the controlling motive was most likely quite utilitarian. The public opinion of the time regarded proficiency in legal lore as much an essential in the education of a young man as skill in athletics and in the bearing of arms. During this period skill in arms, physical prowess, endurance and courage were essentials without which no man was properly equipped for life. It was equally necessary that every adult should know how to wield legal weapons in litigation which, in the ordinary lifetime, might arise at any moment. To lose a lawsuit was sometimes looked upon as scarcely less disgraceful to an individual and his family than to become guilty of unmanly conduct in battle.

The family and the family honor were sometimes involved in a legal controversy. It was the duty of the survivor to take legal notice of a homicide when the victim was a relative; the living relatives of the murdered man owed a duty here which law and public opinion alike imposed upon them. It was considered inglorious in the extreme if a man took no steps to bring condign punishment, through the instrumentality of the law, upon the guilty. In this manner public sentiment gropingly endeavored to correct the defect in the government due to the absence of an executive power. In some situations it was the legal duty of the individual to enforce public law.

There was no special provision made for enforcing the law or the legal judgments of the duly constituted tribunals. In so far as the law was carried into execution it was upon individual initiative. There was a very real pressure upon persons to bring about obedience and respect for the law, because if they did not, at least in some cases, take it upon themselves to set in motion the machinery to punish offenders they stood before the bar of public opinion as mean and contemptible citizens. It was, for example, the duty of every man to defend the honor of female relatives if they became the victims of insulting conduct. There was thus a vital reason why every man must familiarize himself with the law. Otherwise, he could not perform his duties as a citizen, or maintain his position in the state and his prestige in the community where he lived.

The Icelandic legal system was complicated and technical. To become well grounded in its complexities was no easy task. The slightest mistake might result in the loss of a cause of action, and in the imposition of a fine or punishment in some form upon the person who made the blunder. It was always assumed that the complainant was capable of managing and conducting his own lawsuit; but there are instances in the Sagas which show that there were exceptions to this rule and that a party could assign his cause of action to another. When this was done the law required something more than the mere designation of an agent in the modern sense; the person who desired that another prosecute his cause of action must not only empower the transferee to carry on the litigation, but he must assign the right and title to the cause to him. The assignee became the plaintiff in his own right as the sole owner of the right of action.

When important lawsuits were on the calendar it was important to engage the services of men learned in the law, just as today eminent members of the bar are sought for certain cases. For example, when the men who burned Njal and his family were prosecuted at the Althing the culprits transferred their defense entirely to a man who had the reputation of being one of the greatest lawyers in Iceland. There followed a legal battle in which no technical rule was overlooked by the defense, marked by the keenest insight into procedural and adjective law on both sides. The issue oscillated back and forth, the advantage being first with one side and then with the other, until the fatal error of the counsel for the plaintiffs which resulted in the dismissal of the suit, a failure of peaceable justice, and a resort to arms.

The author of the story of Burnt Njal describes this trial with consummate and artistic skill. It was conducted in the hearing of a multitude of men and women, for here was a lawsuit of unusual interest and importance. No mistake was overlooked, every advantage was promptly pressed to the limit. We see the tribunal and the witnesses, with such persons as had some direct connection with the suit. Round about them the author paints a word picture of the crowd eagerly watching and intently listening, now applauding one side, now the other.

Seldom has a cause been tried in which a whole people was so much concerned and so deeply engrossed; we are reminded of such causes *célèbres* as the trial of Queen Caroline, the impeachment of Warren Hastings, and the impeachment trial of President Andrew Johnson. As the case progresses feeling mounts; the contestants become more animated, more bitter; the public becomes agitated; and the affair takes on the appearance of a contest of skill with the smartest contender drawing the applause of the spectators. The description of this interesting trial convinces us that the populace attended the business at the Althing with real interest and followed every step with the utmost enthusiasm. Legal trials and failures of justice, such as this, could not but impress upon all observers the necessity of a thorough understanding of the legal system.

It would seem at this point appropriate to say something about the earliest known Icelandic laws. The Icelandic Commonwealth became a dependency of Norway in 1262-1264, from which date the original Icelandic legal system was gradually modified by the infusion of Norwegian law. Long prior to this date evidences of decay in Icelandic lawmaking had begun to appear. It would seem to be demonstrable that after 1180 the legislative power in the Commonwealth was of little account. It was about and after this date that internal feuds arose which ultimately led to the downfall of the Republic and its affiliation with Norway. The Godords had begun to be concentrated in the hands of a few chiefs, and a small group of Godis became so powerful that they could defy the law and ignore the customary processes of justice with impunity. Might, exemplified by the sword, decided controversies; the courts fell into disuse and disrespect in direct proportion to the growth of this arrogant spirit, and that liberty, in the light of which the nation had marched towards the heights, decayed and died.

In a country without an executive, this condition reacted upon the legislative power with disastrous results. The evil effect of the absence of a strong executive power has seldom been more palpably demonstrated than when this point in the history of the Commonwealth is reached. In the clang of arms the voice of law and legal justice was drowned. The ancient law of Iceland seems to have originated, in the main, prior to 1180, a conclusion which is supported by the studies of philologists who have critically examined the language of the law. The main portions of the *Gragas,* the great law book of Iceland, were probably reduced to writing not much later than 1150.

The period from 1030 to 1120 is sometimes described as the era of peace, because there was then comparative quiet in the island. It is doubtless true that the legal system developed rapidly during this age, although the main principles of the law are most likely of earlier origin; the century intervening the years 930 and 1030 unquestionably witnessed the formulation of the law in essential outline. It then crystallized into definite rules and fixed formulas. The Saga Age was in many respects the Golden Age of the Commonwealth, the period during which the finest powers of the young nation blossomed like flowers in spring.

An examination of the earliest laws in force, at least in part, during the period of the Commonwealth, discloses certain fundamental characteristics. One purpose to which all else must yield was the maintenance of an even balance between the rights of individuals and of the rights of society, as represented by the central government. It has not always been easy to find the happy medium; but that such was the theory of the lawmaking body in Iceland is obvious. The men responsible for the organization of the Commonwealth realized the significance of the age-old tendency of government to grasp power at the expense of individual rights.

They seemed aware of the evils resulting from error upon the one side or upon the other. There is, on the one hand, the danger that the government will be magnified at the expense of the citizen; and on the other that the government will be too weak to hold in check the passions of the people. If the former tendency gain the upper hand popular liberty will die, and tyranny will be the final expression of government. If the individual, *per contra,* be accorded too generous a measure of liberty, organized society will as surely be destroyed. Wherever the latter tendency gains a dominant position, the ultimate result is the tyranny of irresponsible power in the many, the chaos of impulses unrestrained and uncontrolled. Both states are intolerable, but which is worse is a debatable question. Perhaps history affords as striking illustrations of the consequences of anarchy due to want as of the evils resulting from excess of government.

A government is strong, not because it is built on the ruins of individual and popular liberty, but rather when it is grounded upon liberty under law, framed in the interest of all persons alike and enforced by a central power responsible and responsive to an enlightened public will. On the other hand, the liberty which the individual demands as his right does not imply that he may do as he pleases; it consists in the possession of a sense of security that his natural powers may be developed to the utmost without fortuitous impediments or hampering circumstances which have no relation to his natural capacity. The happy medium between these extremes, the founders of the Icelandic Commonwealth sought but failed to discover. A like attempt was made by other nations at and after this time with no better success.

There were fundamental differences in the primary principles and in the course of legislation in the countries of the Scandinavian North and in Iceland. The outcome was radically different in the two regions. In the northern countries, outside of Iceland, the aim, at least in certain periods, seems to have been to establish a centralized government with a *strong executive.* This was achieved at the expense of the individual; the scales tipped the other way. Royalty rose in prestige and power, whereas the rights of the people dwindled and disappeared.

The founders of the Icelandic state, on the contrary, were primarily concerned with securing the fullest measure of freedom for the citizen; but in carrying out this purpose the interest of organized society was, in one vital respect, inadequately protected. These statesmen neglected to provide for a vigorous but responsible executive, while providing sufficiently—when one considers the situation of the people—for legislative and judicial functions. The individual overshadowed the state, grew in arrogance, and became contemptuous of the principles of law and of the demands of public order. All government decayed; it exerted less and less control over persons; and in the end the state fell a prey to internal lawlessness and external ambitions. The Icelandic Commonwealth and the Continental Congress are striking illustrations of the folly of hoping that organized society can maintain itself perpetually without efficient means of enforcing obedience to the expression of its will in the form of a binding law. It is true that the Commonwealth existed, free and independent, without an executive, for approximately twice the span which measures the age of the American Republic; but the processes of decay and dissolution had set in long before the structure collapsed. The final catastrophe was the logical and inevitable result of refusing to take notice of the fact that no governmental scheme can long endure which imposes little or no effective restraint upon the passions.

In some respects Icelandic law is of ancient vintage and rests upon principles, social and political, having their foundation in the remote history of northern Europe. The scheme is, in a large measure, built around the family as a unit. These early laws significantly regard the family as the cornerstone of the state; and, significantly also, every socialist and communist who really understands his problem, concentrates his fire upon the home and the sanctity of the marriage relationship. The legislation of the period does not go beyond this conception concerning the central position of the family. Its importance in the legal scheme is evidenced by the fact that five of a total of thirteen chapters in the *Gragas* deal, more or less, with that subject. This is noticeably true of the two chapters on inheritance and the schedule of fines in cases of homicide.

The chapter dealing with fines is one of the very oldest sections of the law. There we find set forth in detail the amounts which those guilty of homicides were required to pay. The measure, or unit, of compensation, is the "baug" which, literally, means a ring. The explanation is that rings of silver were the oldest media of exchange in the northern countries. The scale of fines is related exclusively to the family and states with precision how much the guilty or his relatives must pay, and how much the relatives of the victim are entitled to receive.

The family was divided into branches, one consisting of near, the other of distant relatives. One branch included the father, son, brother, paternal grandfather, paternal grandson, maternal father and a daughter's son, an uncle on the father's side, a nephew on the male side, uncles and nephews, and cousins german. The other branch consisted of persons more remotely related, like second and third cousins, and others. Relationship for this purpose appears never to have been reckoned beyond the fourth cousin. To travel so far on the trail of consanguinity from the principals as to require the fourth cousin to compensate or entitle him to receive compensation is strong proof of the central position the family occupied in the scheme of things. There is here, of course, the germ of whatever logic there may be in the modern legal doctrine of *respondeat superior.*

There is another consideration which has not received the attention it deserves. The inference is legitimate—it is amply supported in other ways—that the family continuity was regarded of the greatest importance. Icelanders frowned emphatically upon any plan calculated to weaken its position as the keystone of the social structure. It is not altogether improbable, however, that these rules, carried thus far from the actors in the tragedy, were partly inspired by a purpose to discourage homicides, to put a check upon violence, and to insure that in the minimum number of instances would a killer go unwhipped by justice.

While the rules show a strong regard for the family, they likewise manifest a purpose to hold it to a certain degree of accountability for the conduct of its members. In a State without a real executive power, this part of the law takes on a significance beyond mere sentimental regard for the ties of kindred. The relaxation of responsibility, with respect to the conduct of members of the family, appears to have come hand in hand with the development of the state and the specialization of function which distinguish modern systems of government from their ancient prototypes. Whether this be good or bad may be debatable; at any rate, the Icelanders, whatever their reason, believed in family cohesion and family accountability.

According to the mode of reckoning penalties, there were four general classes of fines, the largest amount being payable by or to the nearest relatives like father, son and brother in gradation down until the fourth class is reached, where the fine was comparatively small. Women were excluded entirely from the right to receive these fines, which fact would seem to indicate that the law is old, perhaps dating back to a period when women were excluded from certain family rights and from the privilege of inheritance. Another reason may be found in the fact that a woman ordinarily would be unable to enforce collection or take vigorous measures against the offenders.

In the chapter on inheritance detailed provisions govern the descent of property. These rules are probably of much more recent origin than the provisions relating to fines in homicide cases. It is true that relatives succeeded to the property of the decedent by much the same mode of reckoning as fines were apportioned; yet there was a difference. In the law of heirship women were capable of taking as heirs, notwithstanding a male might be living related to the decedent in the same degree as the female. The male was, of course, preferred when the relationship was the same, but the woman had rights which the law recognized. By will a daughter was sometimes treated equally with the sons in the distribution of the property. Of this we find an example in *Islendinga Saga* (Story of the Icelanders), about 1222, in the case of Saemund Jonsson of Oddi. Possibly the reason underlying this discrimination, under modern conditions without validity, lay in the fact that the male was supposedly better qualified to represent the family against outsiders in contests of every sort, whether at arms or at law. It was also plain that if the inheritance descended to the female, the property was more liable to pass out of the family, through marriage.

It seems that a member of the family, though entitled to take as an heir, might be deprived of the inheritance on account of mental incompetency. The explanation (in Sturla Saga, about 1165) is that "she was not deemed to have sense enough to give care to the property." It was important that every precaution be taken to keep every kind of estate in the family. The relatives were legally bound to support an incompetent, so there was some justice in thus conserving her share of the estate.

Marriage was, then as now, a matter which concerned the kindred, and it is emphasized in nearly all northern and Icelandic history that there must be substantial equality in prestige and in material circumstances between the man and the woman about to contract a marriage. When members of different families intermarried, rights and obligations on both sides arose, because thereafter controversies were regarded as of common interest to all members. Conduct might result in a fine which in turn would become an obligation of remote relatives. Hence, relatives of a young man, deemed qualified to enter the married state, acted as ambassadors in his behalf to the relatives of the lady; but they did not, save on rare occasions, go to the lady herself. It was among the conditions of the right of inheritance in children—really of legitimacy—that their mother had become engaged with the consent of her relatives, that adequate dower had been forthcoming, and that a legal wedding had been held.

Sometimes want of rank was balanced by superior wealth and the match was deemed satisfactory—such was the situation in the story of Gudmund the Rich, about 1187, when the match between Teit and Oddkatla was approved. He came from a better family, but she was wealthier. Except for the presence of complete candor, which characterized these Scandinavian matchmakers, the Sagas contain numerous parallels to the modern and common case of the rich daughter and the pauper duke.

The chapter on succession and inheritance reveals a purpose to secure the interest of the family as against the individual. In some respects it suggests survivals since the prehistoric time when property ownership was in the family or clan. Relatives were given comprehensive powers of supervision over the property of the deceased. If the owner disposed of it contrary to the rights of the heirs, or so managed it that their legal rights, as such, were endangered, they could set aside the arrangement at the next session of the Althing. Indeed, the rights of heirs went even further. They could procure a judgment of fine against the owner, or obtain a decree to set aside the transaction, and have themselves declared custodians of the property.

If a man contracted with another to give to the latter all his estate at his death in consideration of support by the former for life, the heirs at law could, in some circumstances, set aside the agreement, if made without their knowledge or consent. The law watchfully regarded the interests of the family as against the right of the individual to control property. This seems a lingering rudiment of prehistoric communism.

If a man was killed his nearest heir or kinsman was the legal plaintiff to enforce redress, and so on down the line of relatives and heirs. The homicide was considered an offense against the family as a whole and consequently of concern to its members individually and as a unit. Originally, the old Mosaic law of an eye for an eye and a tooth for a tooth prevailed; and revenge could lawfully be taken upon the offender, or upon his relatives, by the kinsmen of the victim. Wise men soon discovered that this led to serious difficulties for the reason that one homicide naturally brought on another. This resulted in feuds which extended from generation to generation, the possibilities of which are not altogether unknown in some parts of the United States, or in popular American fiction.

In time a change came about, and all homicides were redressed in conformity with fixed rules; and at the same time it was laid down what persons were qualified as complainants in the prosecution. The order of competent plaintiffs was as follows: son, father, and brother of the deceased having the same father; a brother having the same mother; a bastard son, a bastard brother having the same father, and a bastard brother having the same mother. After this order was exhausted, and if no one could qualify within the rules, the cause of action and the right to prosecute belonged to the nearest free-born relative living in the same country, capable of inheriting.

It was considered a sacred duty not to permit a homicide to pass unredressed. If relatives neglected to bring an offender to justice the obligation devolved upon society as such to see that some punishment was meted out. The procedure, however, differed radically from the modern procedure in criminal cases. Organized society did not prosecute the offender or set in motion the legal machinery to bring about punishment; on the contrary, any citizen, any member of society, who chose to do so, had the legal right to institute the necessary penal action. This principle of redress through any member of the State, when those who had the legal right, or owed a legal duty, had failed to act, was applied in several situations. If public law was violated, for example, or public duties such as were imposed by general law were neglected, it was in the power of any individual to set the machinery in motion. As an incentive to action by strangers it was provided that the plaintiff, or person who initiated the prosecution, should receive one-half of the property of the guilty party. It is reasonably certain that no flagrant case of public misconduct escaped notice under this system. Society thus made it as certain that the penal laws be enforced as it was possible in a State without an executive.

An instructive parallel to this groping effort to supply a deficiency in the executive branch of the government through individual action is found in a United States Statute in 1790, seemingly still in force. As is well known, the United States Government was not strong at that date. This act provided that any person who knew that a felony had been committed, but failed to report it, was himself guilty of a felony. The Central Government was weak and the lawmaking branch endeavored to remedy the situation by forcing the individual to carry a measure of personal responsibility in connection with the enforcement of the criminal laws.

These ancient lawmakers felt that crime involves the public interest as well as the rights of individuals. Some criminal cases could not legally be settled by the individuals concerned without the consent of the Logretta after the proceedings had been commenced. Among these were homicides and certain offenses involving the relation of the sexes. If a plaintiff compromised a suit in this class, after it had been commenced, he was liable to a fine, and any citizen had the legal right to initiate proceedings against him. They had fairly definite notions on the subject of compromising felonies.

All lawsuits were publicly heard, and all pleadings were oral. Detailed and technical rules governed the procedure, and the slightest departure was fatal to the cause. At every stage and in nearly every detail of the proceeding the law required the support of witnesses on the part of the complainant and the defendant. In case of a homicide the perpetrator was required to report, or proclaim, the killing in the presence of witnesses; and if he neglected this formality he was guilty of murder. It was the intent to conceal the killing, not the intent with which the act was done, which stamped the offense as murder.

As soon as the relatives of the deceased heard of the homicide they immediately called in five yeomen who lived nearest the place where the offense occurred and announced, in their presence, before the third day after the occurrence, what had happened; and they were required to call witnesses to the various wounds on the body of the victim. Thus we have a species of coroner's inquest. Thereafter, the plaintiff summoned the killer, either at the latter's home, or by a legal declaration of the crime at the session of the Althing. The indictment, or statement of the charge against the offender, took place at the Althing by naming two, or more, witnesses thereto; this practice suggests the modern requirement that indictments, or informations, shall be sworn documents. The plaintiff was required to repeat accurately a formula which may be somewhat loosely translated as follows:

"I call witnesses to witness that I publicly accuse John Doe that he assaulted A. S. and by the assault inflicted on A. S. wounds which proved fatal, at the place where A. S. was assaulted. I declare John Doe should be found guilty of this offense and condemned to become an outlaw whom no man may feed, ferry or give help. All his property I declare forfeited; my interest I claim in his estate, or for that man who is prosecutor of the action against him. Then I claim half of what remains and the other half to the community to which the forfeited estate belongs by law. I proclaim this suit for trial in the Quarter where by law it belongs; I proclaim the prosecution for the summer and full forfeiture against A. S. Thus I proclaim according to law, publicly at Logberg."

When the accused had been thus "summoned" the plaintiff named witnesses and called upon the defendant to listen to their sworn statements and to the presentation of the facts. The plaintiff was required to take the juridical oath to the effect that he stated correctly the indictment against the defendant, to say distinctly against *whom* he proceeded, on what *charge*, and what *penalty* was demanded. It will be observed that this oral statement approximates the requirements of modern law respecting the essential contents of an indictment or information, but without the prolixities of the more modern instruments. The name of the defendant and the nature of the crime charged must be unequivocally alleged.

The rule still obtains generally in the United States that the indictment, or information, is read to a defendant, in open court, before he pleads, and a copy is delivered to him. That was precisely the old Icelandic procedure, except that no written *copy* of the indictment or information was delivered to the accused.

The charge having been formally "read" to the defendant, one of the witnesses summoned by the plaintiff in support of the statement of the charge was required to name publicly the witnesses and in his own statement he must use the identical language used by the plaintiff in the original summons; then the witnesses named were required to manifest their assent. All must be supported by oath. This proceeding suggests the practice of endorsing the names of the witnesses on the information, or indictment, in modern criminal practice. If the enumeration as aforesaid was made without taking legal oath, the procedure was null and void.

The next step was the delivery of the evidence. According to old Icelandic law the means of proof were of three kinds, namely, witnesses, oath-helpers, and the verdict of the yeoman's court of nine yeomen (sometimes, in small cases, five) from the neighborhood, or of the court of twelve constituted through appointment of eleven yeomen to serve with the Godi as the twelfth member. Due to the presence and important position of the Godi, the verdict of the latter tribunal was sometimes called the "Godi-verdict." This court dealt with a special class of cases, like witchcraft, theft, and where the injury or damage was consequential or intangible. Of these three methods, the verdict of the court of five appears to have been the one most popularly used. It is doubtful if this body and its function had a counterpart in any European country.

This yeomen's court was unique and deserves particular attention. Its membership was recruited from the ranks of the yeoman; only those who were liable to pay the Thing tax or fee, were qualified. Elaborate rules governing its procedure are found in the old laws, showing that it was an important cog in the machinery of justice. It has been asserted on high authority that this body is the prototype of the jury of Anglo-Saxon jurisprudence, having been transplanted to English soil by the invasion of the Danes and the Norsemen, who were kith and kin of the Icelanders. There is neither time nor space to examine this controverted question, and upon it the writer expresses no opinion. This body ceased to function in Iceland soon after the Commonwealth came to an end. Sweden alone seems to have developed a system of yeomen's courts that was at all comparable to those of Iceland.

All testimony was supported by an oath. This rule was inflexible, whether the evidence was that of witnesses, of oath-helpers, or the verdict of one or the other of the tribunals mentioned above. After the introduction of Christianity the oath was taken on a book, or on a cross, according to a certain formula. There was still a third method of insuring the truthfulness of testimony—a sort of Quaker's oath. A person who pledged himself to tell the truth upon his *honor as a citizen* was not required to take either form of oath. The old Icelanders valued their self-respect as highly as the welfare of their souls, or the good-will of their gods, and this peculiar type of pledge, unknown, it seems, outside of Iceland, attests the high regard in which men held their honor.

When the plaintiff, or prosecutor, had finished, the defendant proceeded with his proof in the same manner. He had the choice of supporting his case by witnesses or by the verdict of yeomen. When the defense was completed the prosecutor in some cases, depending upon the nature of the defendant's evidence, could offer additional testimony and call new witnesses, the rebuttal of the modern system. When the proof was by verdict the parties had the opportunity to challenge the members of the body and to strike therefrom those who had been improperly admitted, whereupon new yeomen were called. This procedure suggests the modern method of constituting the trial jury through challenges, peremptory and for cause. When the tribunal was complete it rendered judgment. Opportunity was given to renew the challenge if it appeared that there was something questionable about the men chosen, in which event other qualified men were drawn. When the tribunal had been properly constituted and no fault could be legally found, the case was fully submitted. Before the judges entered upon their duties they were required to take an oath to render judgment in accordance with their understanding of the law. Thereupon two of the judges, one representing each side, announced publicly the main points in the case, one for the defendant. When these preliminaries were over, a vote was taken and the decision was announced by the spokesman of the victor.

If the judges in the Quarter Court were unable to agree, the case might be transferred to the highest court at the Althing, where the same rules concerning the oaths of the judges and the announcing of the principal points upon each side were followed substantially as below. The parties were required to eliminate by challenge twelve men from the highest court, six by each side, because a judgment was invalid if rendered by more than thirty-six men. If either side neglected to challenge six of the forty-eight, the result was a mistrial. One of the most famous lawsuits in the Scandinavian North, the trial of the slayers of Njal, described in the famous Saga of Burnt Njal, failed for this technical reason and resulted in battle and bloodshed at the Althing in 1012. In the Supreme Court of the Commonwealth a majority of the members sufficed to render a judgment; and if there was a tie, at least in certain cases, a decision was reached by lot.

There was not much variety in the punishments prescribed during the Commonwealth. Two classes of penalties were recognized and enforced, according to the Sagas, although the law books mention one other. In homicide cases there was, in addition to the penalty, the requirement of compensation to the relatives of the deceased.

Owing to the archaic terminology and the difficulty of translating certain penal terms into intelligible non-technical English equivalents, the scheme of the criminal law may be more easily understood by considering classes of convicts rather than the divisions of penalties. Convicted offenders fell into two general classes, according to the nature of the crime and the consequent penalty, namely, those on whom was inflicted the *lesser* and those who received the *greater* penalty; or, to put it differently, those of the *lesser* and those of the *greater* guilt. By far the greater number of offenders belonged to the first group.

A criminal in this class was banished from the island for three years, being required to leave within three years following his conviction—the old punishment of exile which was common until our jail system developed. It was his duty to request passage abroad during the first summer of at least three captains of seagoing vessels. If all declined passage they became liable to a pecuniary fine. He must proceed in the same manner the following summer, and, if again he failed, he must make a third attempt the third year. If a ship owner or captain refused to take him abroad the third year the owner became liable to the same penalty, to wit, the lesser outlawry.

During the three years of grace allowed the convict in order to find a way to leave the country, he might have three homes and no two could be so far apart that he could not travel the distance in one day. Any one of his homes, and the space within the distance of an arrow's flight in any direction therefrom, were sanctuaries where no violence could be lawfully visited upon him. He enjoyed a like immunity in the road or path between two homes, provided he did not travel the road more than once a month. Sanctuary was likewise extended him the distance of an arrow's flight upon either side of the road. If he met men in the path it was his duty to step so far to one side that he could not be touched with the point of a spear. If he did not succeed in leaving the island within three years after conviction he was adjudged guilty of the greater outlawry—he then became a "woodsman," an outlaw in the woods. If he went abroad he enjoyed the right of sanctuary while he remained away. After the three years in other lands he could return and his status then was the same as if he had never offended against the law.

The law based the penalty not merely upon the fact that an offense had been committed, but upon its nature, the manner of its commission, and the circumstances thereof. For example, whether a homicide was openly or secretly committed was of real importance in determining the degree of guilt. When the offender publicly reported or proclaimed that he had killed a man his offense was not regarded as particularly serious, at least not in ordinary circumstances, notwithstanding that the deceased might have been guilty of no provocation. Homicides of this class, publicly announced, could be settled through compensation, in the form of fines, by arrangement with the relatives of the deceased, and with the approval of disinterested persons. If, on the other hand, the offender concealed the homicide, did not proclaim or admit it, the deed was considered murder and the penalty was the greater outlawry; his offense was in another and the really serious class of crimes.

Here the oldest law decisively parts company with the Anglo-Saxon theory of murder where the motive of the perpetrator is of controlling importance. In the Icelandic system the motive of the homicide was relatively unimportant, whereas the openness with which it was committed was all important. It was the duty of the slayer to announce the fact at the first, or the second, or the third house he passed, unless excused because the relatives of the slain man lived at all of these places. If he failed in this regard he was guilty of murder; otherwise the act would be only manslaughter with the penalty of a fine. The cunning, secrecy, and cowardice involved in keeping the offense secret controlled the character of the punishment.

In the same class with secret homicide—murder—were other offenses involving treachery, or breaches of faith, such as slaying a person who had reposed confidence in the offender, the killing of the master or mistress by a servant, killing of persons by burning the dwelling in which they lived, and the like. Especially is this attitude of hostility and contempt for crimes of cunning manifested in the punishment for stealing. Stealing was considered the most contemptible and the meanest of crimes. For all of these the same penalty was prescribed, namely, the greater outlawry.

The Icelandic word for the greater outlawry, the second group of offenses mentioned above, literally translated, means taking to the woods. It is an expressive phrase—the modern slang expression is really forceful. The explanation lies in the fact that one guilty and sentenced to the greater outlawry had to leave the settlement and find refuge, if at all, in the woods or in the wilderness. An outlaw of this class could not be fed, ferried or given aid or shelter of any sort. He was literally an outlaw, liable to be killed by any person, anywhere and at any time. Outlawry was, in most cases, for life, notwithstanding the assertion in one of the Sagas that the sentence of outlawry was for twenty years. There is nothing in the law itself to indicate that the sentence might be for a period less than life.

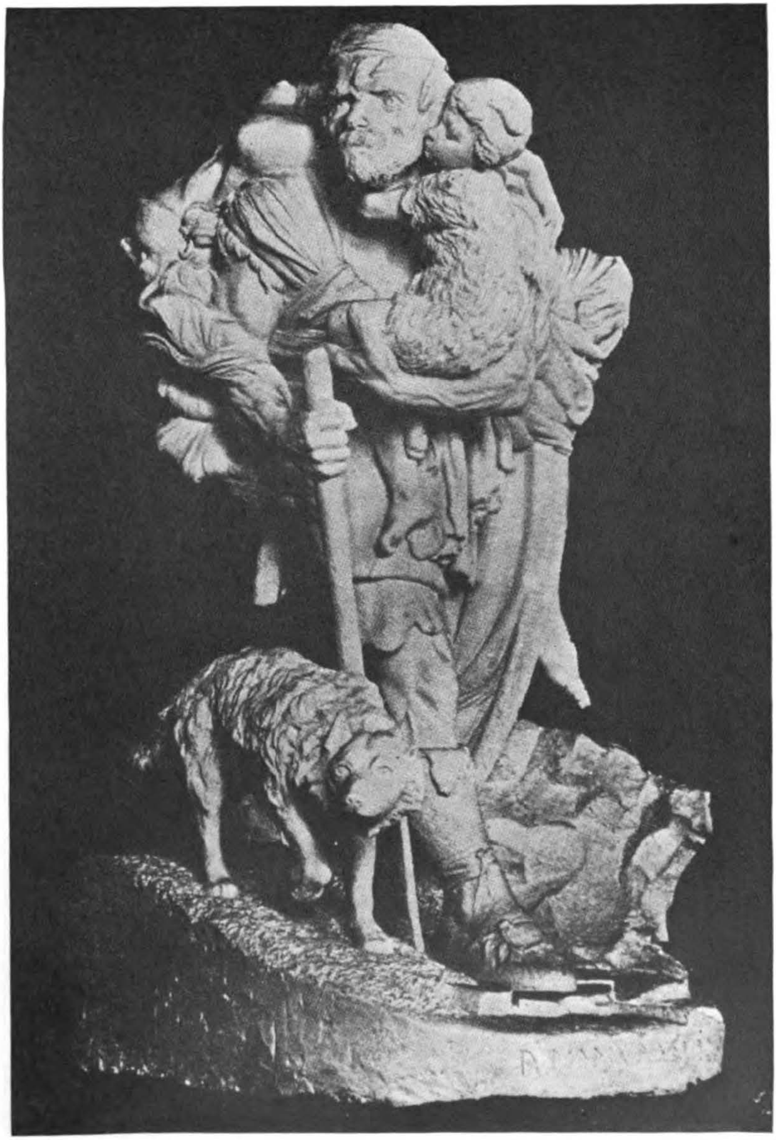
If the outlaw, or woodsman, in spite of all precautions that might be taken against his leaving the island, escaped to a foreign country, anyone of his countrymen had the legal right to slay him on sight. Indeed, a part of the sentence was a prize upon the outlaw's head; the prize offered was larger in the cases of men outlawed for homicides committed at the Althing, for killing men by burning in their homes or in houses, for murder, and for a homicide committed by a slave upon his master. In none of these cases was there any hope for a pardon.

Persons in the first group of offenders—those guilty of the lesser outlawry—could earn a pardon by killing one guilty of the greater outlawry, by making their peace with interested parties, or through a remission of the penalty at the Logretta. This body, however, never pardoned an offender over objection from any source. The commutation of the sentence was usually limited; it would thereafter be permissible to ferry the convict across rivers, or certain places might be designated as sanctuaries within which he could remain immune from attack. Full pardons were seldom granted.

The greater outlawry was the severest punishment known to the law. It was, indeed, a sorry plight in which the person so sentenced found himself. His situation became that of a wild beast with a bounty upon his head. He was more than a pariah; he was beyond the pale of the law, outside all social relations, deprived of all rights, and with an inducement offered every citizen to run him down and kill him. No man could give him succor; no matter in what extreme of privation he might be; it was a penal offense to offer him a drink of water or a crust of bread. The outlaw was literally consigned to the forests, to the mountains, and the caves. If life was to be prolonged he was forced to multiply his crimes. He became a thief, a robber, and a murderer, all because of the great instinct of self-preservation. The committing of these crimes might be contrary to his nature, for often a man who was adjudged guilty of a crime so serious as to require the imposition of the extreme penalty, had committed the offense in overpowering circumstances, or in the stress and storm of momentary impulses.

The outlaw himself might, ordinarily, be moved by generous and noble sentiments, and yet find himself in a situation which imposed on him the necessity to commit atrocious crimes, grossly repugnant to the essentials of his character. No better illustration of criminal error in dealing with crime can be imagined. Here there was clearly no desire to reform the guilty; on the contrary, the inevitable consequence of punishment was greater depravity and more crime on the part of the offender. If he succeeded in eluding the prize hunters, the degradation of the guilty plumbed the depths and his position on the planet was precisely that of the most ferocious of brutes. That a people who manifested positive genius in other branches of the law, in poetry, and in letters, should thus foster crime, is nothing less than astounding.

The law was not satisfied with divesting the offender of all the rights of a citizen and reducing him below the level of a wild beast; all his property was confiscated. Confiscation followed conviction of the lesser outlawry as well. It was not, however, confiscation in the common or ordinary sense. A court was convened—the Feransdom—to execute this part of the judgment. It met fourteen days from the conclusion of the session of the Althing at which the sentence of guilt had been pronounced. The Godi appointed twelve men for this tribunal in accordance with the request of the plaintiffs in the case in which the offender had been convicted. The court announced its judgment near the home of the outlaw, where there was neither field nor meadow and within the sanctuary of a bow-shot. There all were required to convene who claimed to be creditors of the outlaw and there his property was partitioned among them in just proportion to their claims against him. This was really public adminis-



The Outlaws—After Sculpture by Einar Jonsson

tration of the estate of a citizen who was civilly dead. If anything was left after creditors had been paid and the Godi had received his fee, it was divided equally among the men of the Quarter (the public) and the plaintiff.

It is indubitably true that this horrible sentence was not often imposed. The more usual procedure was a settlement, either through the good offices of neighbors, or on the suggestion of those entitled to the prosecution. In such an event compensation was made, forgiveness was sought, followed by a formal announcement that satisfactory settlement had been reached, all in accordance with a technical formula prescribed for such cases. The formula for settlements is very unique; it is extremely old and has been reduced to a rhythmic meter as an aid to the memory.

It is not remarkable that some parts of old Icelandic law should have been preserved in rhyme. The common man had no way to find the law, save in the storehouse of his own or another's mind; there were no books, there were no written records, there were no lawyers whom he could consult. Consequently, rhyme or some sort of rhythmic meter was a helpful mnemonic device. No liar, not gifted with a strong memory, was ever permanently successful; no lawyer in Iceland ever rose to the higher levels of legal excellence whose mind did not retain rules and principles in a grip of steel. I trust that I have now stated the only characteristic common to successful gentlemen in both fields. If a man forgot some part of a legal formula, even a word, disaster might follow. Where formalism was a fetish, men had to have good memories to keep out of trouble. These Scandinavians had retentive minds; that much is clear from the poetry which has been faithfully preserved.

One of the conspicuous characteristics of the written law of Iceland during the Commonwealth is the precision and clearness with which it is recorded. Expressions are seldom equivocal or obscure; the sentences are short and simply constructed. These laws, as they have been preserved, are in striking contrast with the tautologous, ambiguous and often unintelligible language of modern statutes. Whereas today the legislature frequently gives us the law full of words and phrases of uncertain and indefinite meaning, the Icelandic law left little in doubt. Where the language is such that a question could possibly arise as to its meaning, the doubtful expression is carefully defined. There is nothing in this old law comparable in ludicrous absurdity with the language of a recent American statute providing that when two trains approach an intersection at the same time, *each* shall stop until the *other* has crossed, or with the provisions of an English act which gave half the penalty to the informer, but fixed, as the sole penalty, *transportation* for fifteen years.

The law, also, bears strong evidence of statesmanlike foresight in most particulars. All conceivable situations were anticipated and dealt with accordingly. Not only does the law cover the main or essential principles, but exceptions and qualifications appear in minute detail. They almost literally provide for every imaginable emergency or variation of circumstances.

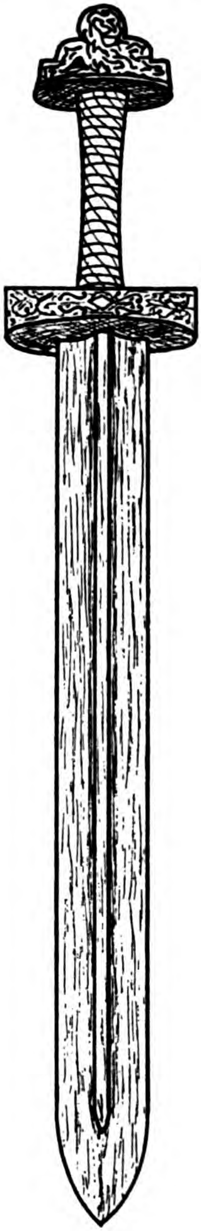
The law, from the period of the Commonwealth, is among the fairest fruits of this old civilization. In comprehensiveness of purpose, in clarity of expression, in the justness of its principles, and in the soundness of its classification, it ranks on a par with the best, and above most, contemporary systems.

CHAPTER VI

The Pagan System

IT is not until near the close of the eighth century that the inhabitants of the Scandinavian North appear upon the scene of recorded history. Thanks to the brilliant work of the Scandinavian school of archeology —in the field of archeology the Scandinavians occupy a position of distinct leadership—we have, to some extent, been able to reconstruct the life of the people back to the beginning of the Bronze Age. Artifacts, fossil remains, brooches, medallions, and ornamentation in bronze, silver and gold, rivaling the most artistic creations of ancient Greece and Rome, point to the existence of a high degree of civilization in Scandinavia.

For untold ages the people seem to have lived apart from other nations and the material available is so fragmentary that the truly conservative historian, who refuses to write human history in the unsatisfying and deceptive vocabulary of hypothesis and assumption, finds little beyond the testimony of archeology on which he feels he may confidently stand. About the opening of the ninth century, however, they suddenly burst upon the stage. "From her frozen loins" the North poured forth a warlike people, as Milton puts it, "a deluge on the South—god-like shapes and forms," as if some mighty convulsion had released forces long imprisoned. Upon Europe they came, "overflowed all countries far away," like avenging furies, indifferent to all danger on land and sea, careless alike of sunshine and of storm. From



TYPE OF SWORD FROM THE SAGA AGE

this time forward we find the Scandinavians in every part and port of Europe having commerce and social relations with the peoples of the continent and intervening islands. During the next two hundred years, from 800 to about 1000 A.D., we have what historians are accustomed to describe as the Viking Age. To this period the civilization of the North traces its origins.

The most striking characteristics of the Scandinavians of the Viking Age were unbounded energy, like the restless and untiring activity of youth, the resistless desire to accomplish and the resolution to win that fame which does not end with life. As soon as the ice broke and the rigors of winter were softened by the breezes of spring, they fared forth in rude crafts upon uncharted seas and laid their course through the immense wastes of unknown waters. They steered towards the east, and south to Friesland, France and to Flanders; and they veered to westward, towards England, Scotland, Ireland, and the adjacent islands.

The Vikings approached the land that seemed most attractive and which held the greatest promise of booty; they robbed and they killed; they burned property and spread destruction and terror generally in their wake. Resistance meant death to the men and slavery for women and children. No power could withstand the intrepid invaders who were strangers alike to fear and to respect for the rights of property and life. Glory and the acquisition of wealth were all that mattered. They played with life and they were contemptuous of death. The spirit of the Vikings still ruled in the bosom of King Magnus the Barefoot when he answered his friends who protested that he exposed himself carelessly in battle: "For glory a king is kept rather than for long life."

When the Vikings had satisfied their ambition for glory, when fall came and the forerunners of winter appeared, when increasingly agitated waves gave promise of the agonizing winter storms, they pointed their vessels towards home. Their breasts were agreeably stirred as the angry sea heaved and foamed, and powerful winds shook the vessel and strained the ropes. For them there was no danger on land; no fear of death at sea. They loved struggle; to do battle with a human enemy, or with natural forces, was like wine that brought delicious intoxication to the soul.

Arriving at home they unloaded, triumphantly exhibiting cloths and carpets of marvelous beauty, jewels and precious articles, the booty seized from churches and from convents. They decked themselves in silks and robes of richest scarlet, adorned with priceless gems. Rings of purest gold upon their fingers, broad bands of gold on their arms, these conquering freebooters preened themselves before admiring women and envious youths. They possessed in a high degree that which Solomon said is the essential quality of all earthly things.

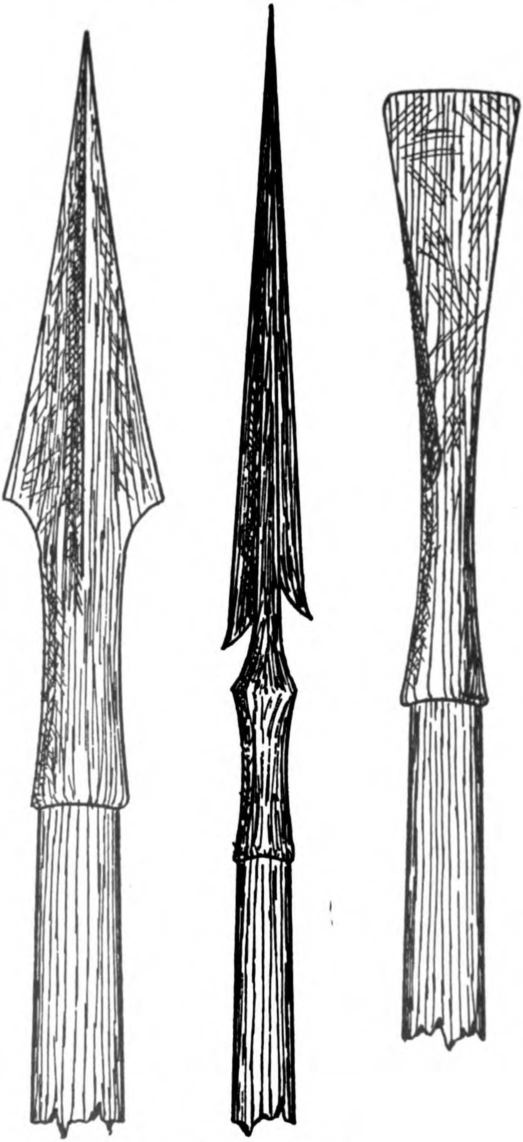
On arriving home they prepared to spend the winter in feasting and entertainment. They visited friends and organized feasts among their associates in piracy. When the fires glowed on the great hearths in the twilight and the horns of foaming mead and bubbling wines passed from group to group, the rafters rang with laughter and hilarity while the heroes told of battles and feats of strength and courage witnessed during the expedition, and poets composed and recited epics commemorating great deeds.

It is doubtless true, in the main, that the poetry and the Sagas from the Scandinavian North owe their origin to the Viking Age. The period usually calls up a picture, largely inaccurate, of a race who fought and killed from avarice, or from pure lust for blood; of men who would jugulate an enemy as cheerfully as they would jest with a friend. We have been taught to see a crimson hue tinging everything they touched. The facts and the appearances are against them, when superficially viewed; wherever they set foot on land a trail of blood led hither and yon, and the glow of burning structures cast a somber and melancholy light upon the water as they steered from the scene of plunder into the open sea.

And yet the age was not exclusively a period of glorified robbery and murder. By a strange paradox this era, when death walked at noonday, powerless alike to inspire remorse or engender fear, marked the emergence of new life and a new civilization. During these stormy years the people, for the first time, so far as history knows, came in real contact with the refining influences which were, some time later, to unite in that which passes currently as European civilization. From these associations they learned many things, some of easily demonstrated and others of clearly doubtful value.

They were more than plunderers; they were merchants as well. They traded with the people in the intervals between foraging expeditions. They were not just bloodthirsty creatures seeking whom they could devour; their leaders, the men who set the standards, possessed ethical ideals from which they never deviated, even when it seemed expedient to do so. Courage and magnanimity, loyalty and generosity were the essential commandments in the moral philosophy of the age.

It is true that, at first blush, it seems the Vikings were selfish and avaricious men, subordinating the instincts of



TYPES OF SPEAR

A spear, a barbed spear, and a "pole staff," or heavy missile.

humanity to the desire for fame or gain; yet the real truth is that the acquisition of wealth was never the primary motive. Material wealth was to them a means to another and a much more important end, namely: the winning of followers and friends and living upon a glorious scale. They were not niggardly; they were careless of expenditures; they desired riches merely because it was, in their judgment and within their observation and experience, the most certain and direct means of gaining prestige in the community in which they lived. When dissected by the scalpel of philosophy it may be that the motive is no more beautiful than that of the miser whose hoarding is an end in itself; and yet can we detect in the fruits of successful Viking avarice something akin to the public spirited acquisitiveness that establishes peace with conscience by founding public libraries, with the name of the generous donor conspicuously emblazoned over the entrance?

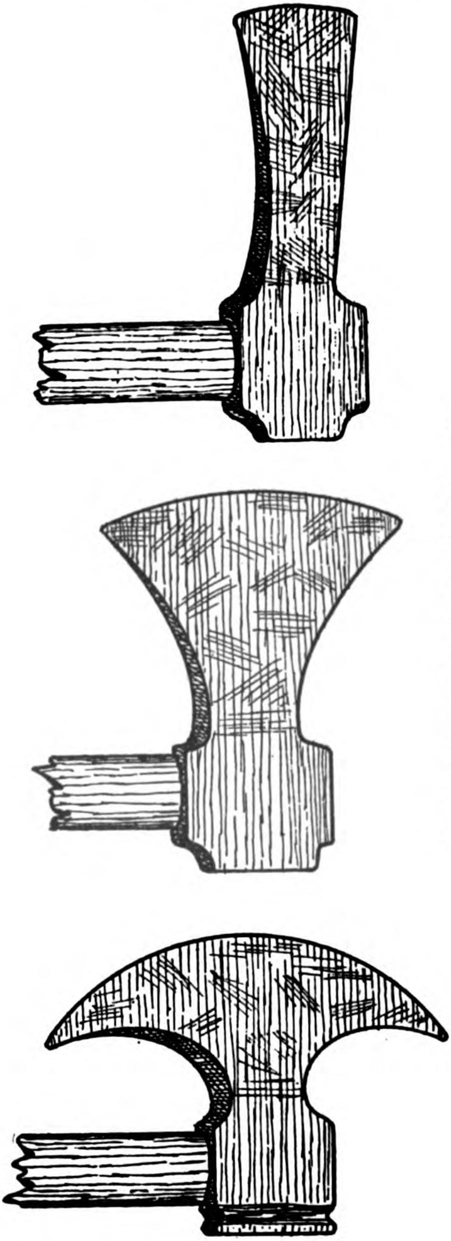
Those years in the history of a nation which are described as epochal because they possess certain characteristics distinguishing them from other periods, always have some logical connection with or are the natural result of earlier conditions. This is true of the Viking Age. It was the necessary outgrowth of old antecedents.

The question arises, why the Viking Age, and to what causes do the roots extend which furnished nourishment to this strange tree which bore such remarkable fruit? It would be bold, possibly inaccurate, to say, that the Viking Age must be traced to some one particular source; yet, in the main, it is true that this period in the history of the Scandinavian North is best explained by the principles of mythology of early Scandinavia, and of the philosophy of life which necessarily inhered in that extraordinary system of worship. At any rate, it is certain that no adequate or even approximately accurate understanding of the time, and of the people who gave it character, can be reached without a correct interpretation of the essential elements of pagan worship.

One of the principal sources of the mythology of Scandinavia is the Eddic poetry. The structure of paganism described therein—where we can be reasonably certain that we have the true as contrasted with the modified (under Christian influence) mythology—is in many respects, so utterly fantastic as to justify the opinion that the whole is arrant nonsense without meaning, purpose, or recognizable significance. Upon reflection, however, the student is likely to change his mind and conclude that no people, gifted with at least normal intelligence and perception, would create an elaborate system, without rhyme or reason, and then build upon it their lives on earth, and their hopes after death, with the full and unwavering confidence of the most devout Christian philosopher. Savages, in the lowest stages of culture, have never done such things; and no people who have made some intellectual and moral progress would be guilty of such inane and purposeless endeavor. It is reasonably certain, therefore, that the Scandinavian system of belief has in it, or, rather, underlying it, as its foundation, ideas which have a real ethical significance when correctly analyzed.

The Asas, and belief in them, constituted the main structure of the Viking's faith. In the Scandinavian's scale of spiritual values the Asas were the embodiments of the qualities which were esteemed above all others, namely: courage, fortitude, intelligence, magnanimity, the capacity to achieve and to win lasting glory. This system, like some other ancient religious régimes, notably that of Persia, is built upon the central principle that there is an everlasting conflict in the world between light and darkness, heat and cold, good and ill. It was a fundamental concept in the North that ours is a world of strife, of endless war between antagonistic ideals. This world struggle, however, does not date back to the origin of all things. It is, rather, the result of a disturbing of the original concord which existed in the world, and the condition which must be fulfilled before the struggle can end is that the pristine harmony shall be restored. The Asas were believed to be the upholders and defenders of the good and noble in the struggle against that which was mean, contemptible and evil. It is this fact which explains the constant warfare between them and the giants, the latter being the incarnation of evil and the fountainhead of all depravity. Thor is never completely happy save when he is brandishing his great hammer against the banes personified in the giants. There never would have been any doubt about the outcome of the conflict if the gods had not made the fatal blunder of taking Loki into their confidence, the sly rogue, the dispenser of slander among gods and men, according to the Edda.

Loki belonged to the race of giants and was, therefore, by right divine a scion of the ancient aristocracy of sin. Through this mistake the gods established a certain intercourse with the giants and their shifty crew, which brought "sin into the world and all our woe" and proved, at last, the moving cause of their downfall. Perhaps this portion of Northern mythology, whose age no man can tell, proves that, after all, the forbears of these blonde Nordics were merely mid-Victorians, who would not seem in the least anachronistic when viewed against the back-



TYPES OF AXE FROM THE SAGA AGE

ground of the "mauve decades," for did they not build a certain philosophy on the despised—by the smart and modern sophisticates—copy book maxim that one bad apple is a bad influence for the barrel? The implication clearly is that there can be no traffic, no compromise with evil, a proposition which must seem amusing in a country that gravely collects a tax from its lawbreakers, based upon the income from their illegal business.

Scandinavians believed that there was no choice of courses; there must be ceaseless conflict, without retreat or compromise, to the bitter end. There could be no bargaining, no middle ground. This evil genius of Asgard, Loki, became an important personage—the indispensable Judas of paganism—and set in motion forces which ultimately destroyed and through destruction and death regenerated the world. This scheme of faith, like another and a greater system, found useful and productive of beneficent results the detested qualities of avarice and treachery. It was through his contriving and his perfidy that Baldur, the most beautiful and beloved of the gods, was foully killed. Of this tragic incident the Edda says: "It was the greatest misfortune that ever happened among gods and men." From the influence of Loki flows deception, hypocrisy, and evil in ever widening streams until the gods are no longer able to stem the tide.

The idea of a decisive battle between good and evil is described in the story of Ragnarok. This is the focal point in Northern mythology. On the side of Odin and the Asas fought all men who, in life, had exhibited fortitude and high courage in battle, and who had come to the end of their days with reputations untarnished. On the other side and with the forces of evil, on the contrary, fought all bad men. Thus the battle rages,—good and ill meet at Armageddon. The good is personified in Odin, the leader, supported by the Asas, and the men of courage and noble qualities from earth; on the other side, under the leadership of Loki and of evil, personified in the giants, are assembled and deployed all the ignoble influences that men despise. The great wolf Fenris breaks his bonds and walks free with gaping jaws, the upper jaw touching the heavens and the lower the earth, emitting fire from eyes and nostrils; and the Midgard serpent spews poison through the universe. The monsters range themselves with Loki. In the ensuing conflict the heavens split and the sons of Muspell come forth; Surtr rides in the midst of surging flames.

The gods and the nobility of earth, who had died honorably in battle, march forth to meet these armies in mortal combat. Odin engages the wolf Fenris; Thor attacks the Midgard serpent; Freyr tries conclusions with Surtr; Tyr fights the dog Garmr; and Heimdall chooses Loki himself. The outcome is that the wolf swallows Odin, but Vidar, the silent Asa, kills the wolf. Thor is victorious over the Midgard serpent, but dies in the welter of poison emitted by the monster. Freyr kills Surtr, while Tyr and Garmr both die, as do also Loki and Heimdall. Before he dies Surtr scatters fire over all and the world is consumed.

Then earth reappears from the sea, green and beautiful to behold. Fields and meadows become fertile without seed; and a new race of human beings repopulates the globe. Then follows the golden age; the ancient harmony and balance have been reestablished. In the battle between the forces of good and ill a noble sacrifice was made through which the redemption of the world from the bondage of evil was effectuated.

The system thus broadly sketched shows a feeling that a sacrifice was essential in order to reestablish the ascendance of good over ill in the world. Finally, there appears a vague idea, which may or may not owe its origin to Christian influences, that there is a Supreme Being whom even the Vala-prophetess dares not mention by name. As the Vala puts it: "Then comes the powerful from above to judgment, he who rules over all."

It is impossible to analyze this mythological system without the conviction that it has many noble qualities. Here was much material out of which the spirit of man could build solid foundations for a life of manliness and strength. Faith and a life philosophy must ultimately find a common basis; faith and life must meet and blend if there be in truth a belief built on enduring principles. That the Scandinavians had a distinct philosophy of life the most casual student will not deny. The attractiveness of that philosophy, when viewed in the light of modern standards, is another matter.

It was believed that Odin and his brothers created mankind and gave it a home in Midgard. Men were, of course, descendants of the Asas; but more important than the genealogy was the fact that throughout life the human offshoot of the gods was entitled to their protection and guidance. The Asas controlled the seasons, the forces of nature, and, to some extent, the destinies of men. Life was beset with myriad creatures of evil, partly supernatural, whose purpose was to nullify the influence of good; from this condition it resulted that men were associates, rather than mere dependents, of the Asas, partners in the struggle of the latter against the personified forces of darkness.

A fundamental principle of this pagan system was the exact antithesis of that which replaced it. It was not grounded on the doctrine of submission, humility and peace, but on resistance, haughtiness and strife. From the duty to put down evil there was no escape with unsullied honor. All men who fell on the field of battle in good repute were assured of an abode with the gods; they became honorable recruits in the ranks of those who, when the last battle came, would fight on the side of the Asas, and, if need be, die with them. Possibly, for this reason, no death was more desirable than that by the sword, and no end more unbecoming a strong and courageous man than that from disease or old age. Indeed, it was believed that he who died from commonplace disease could not receive a place in the company of the mighty. It was not uncommon for men deliberately to court death on the battlefield; and a man of spirit and of true courage faced wounds and death itself without flinching.

One of the most illuminating characteristics of the system was the conception of life after death. It was believed that the translated warriors went forth in the morning, fought all day and at eventide those who had fallen were restored to celestial life. The future life to them was a continuation of that of which they thought most on earth, but it was more than mere aimless and useless fighting. They were training for the gigantic struggle, Ragnarok, when, from the universal death, there should come a universal regeneration. Even death could bring no release from the duty to struggle against evil. That which superficially seems a cruel and bloody faith is in reality powerful proof that these rough men hated evil with a vigor which death itself could not still.

They visualized heaven as a place where the highest privilege was to continue the battle.

It is possible that there may be an even deeper explanation of the belief concerning the future life. Those who achieved Valhalla, the hall of heroes, due to courage in life and death in battle, could look forward to the glorious finale when they should take part with the gods in the universal conflict. It was, accordingly, considered a duty of man to do everything possible to increase the army of those who, having achieved a place in Odin's hall, were qualified to join the godly ranks against evil. This sort of life philosophy necessarily exercised a powerful influence upon the conduct of a serious-minded people; but it was not calculated to make its adherents peaceful, or to discourage them from engaging in bloody and fatal strife.

It was customary, before a battle, to dedicate to Odin the dead who should remain on the field, to direct the slain to Valhalla, and sometimes an eagle was cut upon the back of a prisoner of war who was thus given to Odin. A battle was no mere struggle for the sake of immediate victory; it was a sacrificial rite on a large scale. The gods were worshiped and to them was rendered esteem and adoration by killing and by being killed. The Viking considered himself a high priest in the heathen worship. He fought until death came to himself or to his enemies, in the service of the mighty Odin and of the faith which was a real and impelling influence in his life; and before him, at all times, was the vision of Ragnarok, the last battle of all.

This somber belief cast a melancholy hue over the conduct of the Vikings. Much of that which is bloody and, to the pacific Christian, utterly intolerable, becomes understandable in the light of the ideal in the background. With all the zealous abandon of a Christian martyr, the Viking was ever ready to offer himself as a sacrifice in conformity with the fundamentals of his faith. For this reason the main purpose of existence was strife, and battle itself becomes really a part and parcel of the act of worship. Such was the cornerstone of life and faith in the period, and the conduct of the Vikings was essentially consistent with the central principle.

The relationship between the worshipers and the Asas is unique in the mythology of the world. The reason is found in the dual character of the gods. In a sense they were regarded as supernatural creatures, universal rulers, and the responsible guardians of all good and noble things. On the other hand, they were not clothed in the garments of perfection and immortality; they were subject to the laws of chance and of death in common with mankind. The Scandinavians, it is true, offered the gods a certain adoration and considered it a duty as well as expedient to respect and worship them; but these worshipers, so called, felt no fear, in the conventional sense, towards the Asas. In this respect, as in others, they maintained resolutely a strict personal independence. There is not present in the mythology of the North a touch of that humility and supine fear which characterized the attitude of the peoples of most oriental countries; nor is there discernible, from the evidence at hand, the sense of inferiority and weakness of which we are ever conscious in studying the system of ancient Greece.

The reason for this essential difference between the mythology of the North and of the East, or of Greece, lies in the fact that the Scandinavians regarded themselves associates of their gods; the latter needed their assistance as they needed the help of all courageous and capable men in the universal contest, Ragnarok. To a certain extent the worshipers deemed themselves the equals of their gods; when they worshiped and offered sacrifices, they often demanded and usually expected a *quid pro quo*. Of course, they did not always ask for or demand a return; however, this was due not to a feeling of humility, but, on the contrary, sprang from a sense of pride, of independence, of a consciousness that the one offering the oblation was an ally of the gods themselves and hence scorned the rôle of an abject petitioner. Individuals, according to the Sagas, regarded the offerings as friendly acts; and, again, men are referred to as the loving friends of the Asas.

The feeling of personal independence, the sense of individual worth, was so powerful among the Vikings, so dominated their feelings and sentiments, that they were not satisfied with anything less than competition upon equal terms with their deities. Truly, it may be said of them that they set their ideals high according to their lights, and if they did not hitch their chariots to the stars, they sought to keep abreast of the beings which they themselves considered the noblest and the most exalted in the universe. The practical consequences cannot be unequivocally commended today; yet a faith which is directly calculated to develop some of the more spectacular virtues, such as courage and independence of mind and conduct, in those who embrace it, is not devoid of merit. It was not a namby-pamby religion; it was a religion in which weaklings, cowards, hypocrites, and all the great hordes of sycophants and trimmers could find no comfort.

It is a truism that every nation and every age has its own peculiar standards and that its ethical ideals are definitely related to the character and beliefs of the people and the spirit of the time. The ethical motives of the Viking Age are the direct outgrowth of the relationship between the people and the Asas, and of the individualistic philosophy to which reference has been made. The *mores* of the times cannot be understood or correctly appraised without accurate understanding of the popular faith, certainly not when the reaction of belief on conduct is as striking as it was among the Scandinavians. There is an air of dignity, of reserve, and of courage about the moral ideas of this period. There is present also severe melancholy which imparts a somber countenance to the whole, and makes it difficult for the most unrestrained enthusiast to speak of it as wholly beautiful. It is possible, on the other hand, to discover a certain attractiveness in humility and meekness, two qualities entirely alien to the Icelanders of the pagan world.

The first and foremost commandments in the creed of the nation were courage and fortitude. These qualities were deemed essential to that vigorous and virile participation in life which was the duty of every man as a preparation for the universal conflict after death. To meet what befell without fear and without complaining, was the best evidence of the invincible spirit. Cowardice and timidity were sins without forgiveness. To yield, to surrender, notwithstanding the contest might be with superior forces, was a recourse of which honorable men could not think. It was unbecoming to humble the spirit in the presence of the irresistible demands of fate, or to attempt to avert the effect of its decrees. It was more appropriate that the individual look all forms of danger in the face without flinching, even defy the gods themselves. To bear all and to meet all with steadfast self-control, that was the hall-mark of genuine manhood.

Judge Lindsey, with his unheroic appeal to surrender the dominating position of a reasoning mind to the rule of the baser impulses and the lower passions, would have been heard with contempt by these stern apostles of dominion over self. It was evidence of weakness to appear impressed by anything, no matter how overpowering; a real man never showed fear or despair, no matter what the circumstances. Nothing in the story of Sparta, legendary or historical, excels in superb indifference to pain or danger the commonplace incidents of life in the Viking Age. The feelings were always concealed and under control, and what was passing in the heart was left to surmise or conjecture. Sorrow, joy and hope were personal matters; they did not concern the world and in them the world could have no share.

In no circumstances would a man who strove to live up to the ideals of the times and the demands of the age take advantage of his kind. To attack another unarmed, to harm the weak and helpless, were acts contemptible in the last degree. Man must be intellectually honest in his relations with friends and in dealing with enemies; and never must a confidence be violated, whether with friend or foe. Once the pledge of honor had been given, there was no going back. The Sagas tell us about incidents where enemies fought, lost their weapons, and then grappled until one was down. There being no sword near, the loser would say to the victor: "Get thy sword; I shall remain where I am." And he calmly awaited death, while the other reclaimed his weapon. Of course, in many, if not in most, such instances when the vanquished foe was a man of honor and prowess, the victor, after recovering his sword and still finding his antagonist waiting, offered him life, with the result that a lasting friendship followed.

It was belittling not to take revenge for every offense, because the one offended might be supposed to lack courage and spirit. On the contrary, it was assumed that every favor, every act of good-will, must be liberally rewarded by the beneficiary. There was here no counterpart of the gospel of peace to turn the other cheek. A greater contrast than appears between the cardinal points of the old and new faith can scarcely be conceived. The central idea of old Icelandic philosophy was the principle that self-respect must be maintained at all costs. This was the highest law, the Alpha and Omega of the rule of life and conduct in ancient Scandinavia. The value of a good reputation was inestimable; all else was evanescence and inutility. In one of the old poems, *Havamal,* loosely translated, we find this sentiment expressed: "Stock perishes, relatives die, man himself also dies; but good fame once obtained never dies."

The Asas governed the world and controlled the forces of nature. All men must obey the physical laws; hence, they sometimes needed the help of the gods, and sought their favor through sacrifices. Odin was the most powerful. He governed all things and his favorites were all those brave men who fell in battle. Next to him in power was Thor. He was the strongest of gods and men. Then there was Njordr who ruled wind, wave and sea; to him sacrifices should be made by those who intended to go on a voyage or on a fishing expedition; Freyr and Freyja were his children. Freyr was accounted the noblest of the gods; he was master of sunshine and rain and of the earth's productivity. To him it was deemed expedient to bring sacrifices. Offerings to his sister were thought advisable in matters of love. Tyr was the boldest and bravest of the Asas; he governed the destinies of battles; and to him sacrifices were made by men before battles, or warlike expeditions. These were most popular, the handsomest, and the most regularly worshiped of the deities.

Originally Odin was first in public esteem. To him appeals were made for success in war because he had supreme authority over the dead on the battlefield. In very early times it seems that human offerings were made to him, particularly at certain annual sacrifices, in parts of Norway. But as the Viking Age advanced he lost standing with the people. Gradually Odin fades into the background and at last almost disappears as an actor in the rôle of Mars. He reappears, however, in another character, namely; as the god of poetry and the Runes. He knew all Runes and remained supreme over the secret and hidden forces of nature. He seems to have become a god of magic and an instructor in occult things. With this change Odin became more and more indistinct to the spiritual vision of the average man, a mythical being of whom men stood in awe somewhat akin to fear.

As the worship of Odin declined that of Thor advanced; the latter was closer to human life because he was more typical of the real nature of the Vikings. His main function, in the scheme of worship, was to crack the heads of the evil giants with his powerful hammer. That was a duty easily understood, and, when avidly performed, it appealed to the bellicose instincts of that stirring age. Thor, in time, became the most popular of the gods; the symbol of his mighty hammer was often carried on a chain about the neck as a talisman. His enormous popularity is abundantly attested by the fact that his name appears in countless combinations of proper names. It was believed that a child on whom such a name was bestowed would be a special favorite of the celestial chieftain. In extenuation let it be remembered that there was not a quadrennial presidential contest to furnish peripatetic heroes whose names could be inflicted on helpless babes who had the misfortune to be born during a campaign. They did the next best they knew, for was not Thor the god of thunder, of noise?

Scandinavian and oriental paganism have few things in common; and in certain essentials are wholly dissimilar. The religions of Egypt and Assyria may be dismissed as so fundamentally different from those of the north of Europe as to make comparison unprofitable. It is true, the people of Egypt recognized a future state of rewards and punishments, according to the deeds in the body, but polytheism and priestcraft soon degraded and demoralized the whole. The Egyptians were devout; but they were superstitious and became the easy prey of corrupt and selfish priests. Believing in a future state, where expert bookkeepers kept all accounts, they were a peaceful and comparatively moral nation. Their religious system had the revolting features of the transmigration of souls and of animal worship. Certain deities took the carnate form of an animal and so remained until the creature died. A conspicuous illustration is the so-called Apis Bull which held sway in a line of succession at Memphis, or Osiris. These animals were constantly worshiped by thousands, perhaps hundreds of thousands, during their lives and after death were deposited amidst great ceremony and mourning in the monumental sarcophagi of Egypt.

Among the Assyrians, Babylonians and Phœnicians there was likewise a polytheistic system, although less complicated than that of Egypt. Approximately a score of deities are mentioned in the records of each nation, representing the sun, the stars and the moon as well as various others powers which were the repositories of the authority and oversight of the world. They received their commission from a mysterious Supreme Being. Some dwelled in heaven, some on earth, and some under the sea. It is supposed that originally the belief was monotheistic, but as time passed it was corrupted by superstitious notions. The one god was lost and a large number of lesser figures took his place. Here, as elsewhere, under polytheism idolatry was the natural consequence. At first the images were symbols merely, but later they were worshiped as the actual embodiment of supernatural power.

There was one form of religion in the East which reminds strongly of the Scandinavian system; namely, that of Persia. Persian paganism has been described as among the purest and loftiest of non-Christian beliefs. In certain basic aspects it so resembles the religion of ancient Scandinavia as to suggest the possibility of relationship of common origin. True, the stages through which all mythological systems travel are much the same; but the feature which is common to the religions of Scandinavia and Persia is not merely an evolutionary stage; it is a fundamental characteristic and it profoundly affected national ideals and character.

The physiography of the ancient home of the Persians bears some resemblance to that of Iceland. There were greater extremes of temperature in Persia; the summers were hot, and the winters extremely cold. In northern Iceland the winters were somewhat severe, whereas in the southern part of the island the climate was comparatively mild, owing to the influence of the Gulf Stream. A large part of the home of the Persians was an arid and forbidding waste; while in other places the soil was productive and highly fertile. In Iceland much of the interior was a bleak and barren tract of mountains and ice plains, uninhabitable and unproductive, swept by chilling blasts of Arctic winds; around the island, however, was a strip of land, fit for agriculture, producing luscious grasses and vegetation.

The Iranians settled on the tract between the Suliman mountains and the Pamir steppe on one side and the Mesopotamian valley on the other. They were a branch of the Iranian and Indo-European race. Of those who settled in Iran, the Persians are probably best known. They were a brave, warlike and adventurous people, of comparatively high moral standards, pastoral rather than nomadic, and lovers of horses and cattle. They treated women with courtesy and their slaves with kindness. Their men were skillful riders and clever archers. They possessed strong wills and imperious personalities. They lived in houses with windows and fireplaces; and they were content to engage in a perpetual struggle with a forbidding climate and unfriendly natural forces.

In character and ideals, the similarity between the Persians and the settlers of Iceland is too striking to be ignored. Persia, like Iceland, was a land of contrasts and extremes, of struggles, of quick and unexpected death. Useless wastes and productive plains, snow-capped mountains and charming valleys; deserts and green fields; mild climate and severe cold, all were close and contrast-ing neighbors, constantly taxing the energies of the people in order to maintain life.

Among the Persian people developed a most interesting religion which has long been associated with the name of Zoroaster. Who he was is not definitely known; doubt has even been expressed whether he ever lived. Some think him merely an ideal. He is supposed to have lived in Bactria, between the year 1000 and 1500 B.C.; he is a figure of obscurity, almost of mysticism.

The Zend-Avesta, or the sacred books of the Persians, contain prayers and invocations addressed to Ormazd, their supreme deity. Zend is the interpretation of Avesta. The oldest part is in the form of poems—again suggesting Scandinavia and the Eddic poetry—supposed to have been composed about the time of Moses and possibly by Zoroaster. Of course, the authorship, as in the case of the Eddas, is unknown.

The most striking feature of the ancient Persian religion is likewise the distinguishing element of Scandinavian paganism. Two principles, one good and one evil, were constantly at war with one another; both had a personal existence and were endowed with intelligence and consciousness. The powers of good had no control over the powers of evil; the former could only hope to checkmate the latter. These perpetually warring deities were supported by a large number of subordinate spirits or minor gods who did their bidding. Originally monotheistic, Persian religion later degenerated into polytheism, the common fate of nearly all systems. The Iranians believed in a Supreme God, the creator of all things, but worshiped him under symbols, such as the sun. Their religion, like that of the Scandinavians, was free from the degrading sacerdotalism which brought other oriental systems to the dust. In the Persian beliefs, again reminding us of Scandinavia, there were no doctrines; there was merely the everlasting conflict between good and ill.

There existed in Persia that which India has not definitely had, said the Reverend Samuel Johnson, an all-pervading and conscious purpose with ethical characteristics of a high order. Theirs was not merely a worship of material forms or figures. Like the Scandinavians, they recognized the principles of good and evil; like them they were conscious of the eternal conflict between these antagonistic elements; and like the ancient inhabitants of Iceland and Norway, the Persians were exalted by the hope of ultimate victory and the promise of eternal progress. The Scandinavians, however, had a more distinct conception of, and visualized more clearly and definitely, the crisis in the struggle between good and ill.

The outcome of that elemental conflict the old Icelanders clearly foresaw. Out of the chaos the eye of faith discerned a new universe wherein good remained triumphant and peace and harmony prevailed. The Persians glimpsed but vaguely this consummation; the Icelanders of old saw it clearly, distinctly and the hope of its realization was the dominating and directing influence in their lives. No one can carefully study the foundation principles of the religious systems of Scandinavia and of ancient Iran without discovering a strong similarity of ideals, characteristics, and philosophy.

Persia suffered the fatal misfortune of military success. In its wake followed degeneracy and obscuration of the ideals of faith and conduct. Wealth and prosperity destroyed the purity of that faith which once had shaped their lives. The conquering Persians put all their trust in their mighty hosts and myriad armies; they abandoned the stern reliance of their forbears upon individual discipline and courage. The consequence was defeat and disaster under Xerxes, at Arbela, and the supremacy of Alexander.

In one fundamental respect the paganism of Persia and of Scandinavia, on the one hand, and Christianity, on the other, stand upon common ground. In all three there is a fundamental hope, amounting to a promise, that in the end good will triumph over evil.

Again, a comparison suggests itself; this time with the famous and better known, but much overrated, mythologies of Greece and Rome, at or about the time when Christianity appeared on the scene. No comparison in details, duties and powers of deities will be attempted. Such a discussion might be instructive, but it lies beyond our purpose. The gods of Greece were interesting and physically attractive. They were not symbols or abstract conceptions; they were men and women possessing the passions and feelings of mortals. but distinguished from the latter by the supreme gift of immortality. They had no desire to "tempt to the skies"; they were interested only in a life of pleasure and enjoyment. They had no touch of the missionary spirit which aims at the elevation of mankind; they were concerned only with the welfare of their own particular worshipers. The primary object of worship was beauty and strength. The Greeks had "no aspiration for Heaven and no fear of Hell." They were without a sense of future responsibility for what they did in the flesh; and they were under no duty to serve the cause of righteousness and truth. The Greeks had little religious sense, in the true meaning of the word, as distinguished from mere wonder or admiration for the mysterious and beautiful in nature.

The gods of Greece were powerless to secure happiness in a future state. In point of fact there was little interest in or concern with the hereafter, immortality being largely a speculation of philosophy. Men lived in the present, not in the nebulous future, and the gods made no real attempt to persuade men to rise above the pleasurable demands of the passing hour. The system, as a whole, was an impersonation of natural forces, of legendary heroes and of the mental faculties.

In striking contrast with the gods of the Scandinavian pagan system, the deities of the Pantheon were immoral and unchaste. They had all the infirmities of mankind. Every major deity in the whole list of Grecian gods, with the significant exception of Athene, the goddess of wisdom, was immoral and erring after the fashion of the weakest of men. It is true that Hestia, who presided over the hearth, represented the purity of home life, but she is vague and indefinite. Zeus himself, the king of the gods, was as majestically free from moral restraints as were his divine subjects. They were contemptible as objects of worship, impotent for good, and utterly useless in the scheme of either life or death.

The religion of the Greeks, so-called, was justly held in contempt by men of philosophic minds; players in the theater ridiculed the follies and the immoralities of the gods to the delectation of the people, while the priests in the temples performed obscene religious ceromonies for the propitiation of the same deified rascals. The system offered no hope of salvation. It did not elevate the mind; it did not stimulate the ethical and the moral side of character and virtue; and it was not calculated to inspire to lofty sentiments of even the roughest and most primitive kind. It seems a misnomer, in fact, to call this system a religion, for a scheme regarded as sacred in one place, but ridiculed for the amusement of the people at another, is not deserving of that name. It is no wonder that Christianity, with its promise of eternal life and future happiness, made rapid headway in the welter of inconsistency, absurdity and immorality, which was the ancient religion of Greece.

In the Roman system, in many respects vastly superior to that of Greece, we find an abundance of the unethical and the unchaste. It was a state religion, overladen with ceremonial ritualism. With a cosmopolitan capacity for assimilation the Romans readily embraced the deities of the countries which they conquered. The religion was purer and it was more practical than that of Greece. As true faith declined, pomp increased, and the Romans became, in matters of religion, the arch hypocrites of the ancient world. The followers of Plato could not worship the absurd and immoral deities of Rome. Skepticism grew apace, until Lucretius could boldly declare that belief in the ancient gods had been an unmitigated curse to the human family.

The Romans were as immoral as the Greeks, although they more scrupulously observed all ceremonial rites. The Greeks thought and acted as they pleased; the Romans had less of intellectual independence than their brethren in classical fame, but they had reduced the practice of pharisaism and hypocrisy to a fine art. Women were debased; life was cheap; cruelty and slavery were universal; and degrading practices were commonly pursued. The gods, if gods they can be called, had not the slightest influence upon the lives of the Romans. The latter walked in hypocrisy, meanness and debauchery with complete abandon while they were paying technical homage to their deities. There was nothing in the confused mass of native and assimilated gods calculated to lift the vision of the citizen to a common ideal and a common purpose, or to impress upon his cruel heart the eternal incompatibility of good and evil. Here there is a veritable Ginnungagap between the Roman and the Scandinavian systems.

Iceland was settled about the middle of the Viking Age. The mythology which has been described was then ascendant in Norway as a system of belief. Many pioneers were devout worshipers of the Asas and built places where periodical sacrifices were made. Some settlers had maintained similar shrines in Norway and brought sacred mold as well as temple timbers from the motherland. Prominent or leading men dedicated the land they took to Thor. A plot of ground was sometimes assigned to the temple; and, on occasion, neighbors left an intervening stretch of land over which neither claimed rights of ownership or occupation and there built a house of worship. Many an edifice was consecrated to the Asas, and place names, here and there, attest the existence of ancient altars which the new faith rendered obsolete.

In the vicinity of the temples there grew up informal congregations of devotees. The boundaries of the pagan parishes, if they may be so described, were indefinite and without territorial fixation. In this respect they resembled the Godord and the Things. Persons who desired to worship at these pagan centers paid a temple duty or tax, somewhat analogous to the church tax, or tithe, later exacted under the Christian system. After 965 the law required that there be three main temples in each Thing;

but every individual was free to erect a temple on his own place, or elsewhere, if he desired. It seems likely that many private places of worship were maintained. The shrines were sacred to the gods and profanation by the irreverent or the ruthless was punished with severity and dispatch.

Learned historians agree that some of the pagan temples in Iceland were large and sumptuous structures. The need for generous accommodations becomes obvious when it is recalled that large numbers attended services at certain seasons. A brief description of one or two will give some idea of their dimensions. One, we are told, was 120 feet long and correspondingly wide; another is said to have been at least 120 feet long and over 70 feet wide. It is possible that some statements in this regard are exaggerated, or historically inaccurate, but recent archeological researches have disclosed accurate information concerning the actual size of some of the old places of worship. One ruin indicates a building 51 feet wide; another, a temple of 72 feet by 26 feet; and still another 95 feet by 23 feet wide. The conclusion is amply supported by indisputable evidence that the Vikings in Iceland held their gods in high esteem and erected costly dwellings for the symbolic figures of the gods to whom they rendered homage.

In the Sagas we read detailed descriptions of the sacred precincts. In one of them, Eyrbyggja, it is said that a certain temple was a great house; that there were doors on the sides and near one end; that within stood the high seat posts with nails projecting; the nails were called *regin-naglar,* meaning literally the nails of the gods. Still farther within was the great sanctuary. Farther back of or in the temple there was a building or room somewhat similar to the place where the choir is in some churches; there was a platform or ledge in the middle of the floor like an altar on which a ring lay; on this ring and at this place all formal oaths were taken. It was the duty of the Godi of the temple to carry the ring at all public meetings. On the altar stood a vessel and in it was a flexible rod by means of which sacrificial blood was splashed; it was the blood of animals that had been offered as a sacrifice. Around the altar the images of the gods were arranged.

The images were usually carved in wood, generally life size, and clothed in the ordinary garb of human beings. The figures were decorated according to the tastes and resources of individuals and in keeping with the size and importance of the temple. This period has been sometimes characterized as the golden age, a description literally as well as figuratively true. Some accounts of the temples, though possibly exaggerated, give us a glimpse of the real situation. We are told, for example, that a certain temple glittered in silver and gold. The Vikings were fond of ornaments and we may be sure that whenever they could afford it they decked their favored deities with regal elegance.

The method of worship was through prayer and through promises or pledges to the gods. The worshiper either knelt before the images or prostrated himself, face down, before them.

The great historian Snorri in *Heimskringla* describes a temple at a certain place in Norway and the festivities conducted by an earl in connection with the worship. There was an ancient custom which required the yeomen to appear at the temple and bring the essentials which the festal occasion demanded. At the feast all men were entitled to liquor; and various kinds of animals were killed, such as sheep, horses, and the like, the blood being used to anoint the altars, the ledges of the temple, or benches, where the images stood, and, the walls, both inside and out; even the yeomen themselves were sprinkled with sacrificial blood. A utilitarian purpose was permitted to creep in, some parts of the animals sacrificed being cooked and used as food by the worshipers. A fire was built in the middle of the room and large kettles were hung over it. The man who was responsible for the feast must sanctify the goblet and all the sacrificial food. First came Odin's toast, drunk for victory and for the health of the king; then they drank a toast to Njordr and Freyr, for peace and the fruits of the earth. Thereafter many drank to Bragi, the god of poetry. Then followed memorial cups for friends and relatives, especially for those of noble origin.

While the description of the historian relates to this practice in Norway, there is no reason to believe that there was any substantial departure from the ancient rites among the settlers of Iceland. These Scandinavians were conservative in matters of religion. All the available evidence indicates that the forms of devotion remained, in the main, unchanged.

There were three principal sacrificial feasts in Iceland each year, in the fall, in the middle of winter, and during the summer. The fall worship took place just about the beginning of winter and was a sort of welcome to that season, as well as an offering for peace and prosperity. A people must have been truly devout who could thus joyfully celebrate the coming of winter within a few miles of the Arctic Circle. The mid-winter worship occurred at the Yule feast (later than Christmas time), and the favor of the gods was sought for the fruitfulness of nature. The summer worship took place at the beginning of summer and was also a feast of victory.

During the festivals good cheer abounded. Food and drink were consumed in liberal quantities, while the supply lasted and there were relatives and gods to drink toasts to. The Sagas tell us that much liquor was consumed and disputations upon various subjects grew heated and vigorous. Characteristically, we are told in some instances, the contention swirled around the proposition as to who was the greatest or the noblest man in the community, or in the country. Solemn vows, after the manner of heathens, were taken at the festivals, and amusements of all kinds gave wings to lagging hours. Horses were offered as sacrifices, from which it would seem that horse meat was eaten during this period much more generally than was true in later years.

The practice of making human sacrifices never obtained a foothold in Iceland. In spite of occasional intimations in some of the Sagas, it is believed that no reliable evidence has been adduced to show that human beings were ever sacrificed in connection with religious ceremonies; and if a case of such atrocity here and there occurs it is clear that it was severely condemned and the offender was regarded with general disfavor and contempt. Nothing in the laws sanctioned human sacrifice.

When we examine the oldest pagan laws in Iceland the provisions concerning the taking of oaths disclose the relative popularity of the different gods. Freyr, Njordr and Thor were apparently held in highest esteem and were regarded as the most potent of the Asas. This is especially true of the first and last named. As has been said, some settlers dedicated land to Thor and erected temples in his honor; others offered sacrifices to him in the confident belief that he would bring them sacred pillars for a temple. These two gods were held in high favor by the pagan pioneers of Iceland. It appears certain that all the settlers, who were believers according to heathen custom, worshiped either Thor or Freyr.

At the time Iceland was settled, Odin had so far declined in popularity among the people of Norway that he was not worshiped to any great extent. We receive the impression from those Sagas which throw some light upon this part of Icelandic history, that before the period of settlement was far advanced, belief in the Asas, which in earlier times exercised a powerful influence in the North, had begun to lose its vigor. Superstition had begun the insidious progress which gradually brought about its ascendancy over the ancient régime. Individuals began to offer sacrifices to elves, dwarfs, ugly monsters, and imaginary creatures who skulked in the hills, or maintained a timid tenancy in the rocks. Men even deified water and the other elements of nature by offering sacrifices to them. There was a distinct recrudescence of the superstitious awe in which primitive ignorance has always held the unleashed forces of the universe. That faith which was once sufficiently powerful to engross the attention of an entire people, to hold their minds and hearts steadfastly loyal to noble gods with which they peopled the skies, had lost its power and had been sapped of its life essence by the parasitic growth of sundry superstitions.

The ancient deities had ceased to satisfy the cravings of the soul; but whither to turn had not yet been revealed. The way of the future missionary was being prepared. When worshipers were disappointed their declining faith was swept away, the temples were destroyed and the images of gods, whom their fathers had worshiped before them, were torn down. Occasionally we find a thoughtful person boldly voicing his disbelief in the old deities. Weakening of belief in the supernatural, agnosticism, even complete atheism, supplanted the old faith until men believed only in their own might. The old system had lost the power to give comfort to the spirit, due, perhaps, in part, to the fact that the conditions of life and the habits of thought, through intercourse with alien peoples, were imperceptibly changing.

The doom of paganism was sealed, through the operation of natural laws, long before it was formally and legally set aside to make room for Christianity. We see here at least a partial explanation of the remarkable fact that a headstrong and warlike people accepted Christianity, almost over night, without the cruelty, bloodshed, and pathetic martyrdoms which marred its progress in other parts of the world. Anybody who has some understanding of the Scandinavian character, while at its fiercest under the powerful influence of the old pagan order, finds it difficult to realize that this people tamely submitted to the imposition of Christianity upon them in the year 1000 A.D. Had this been attempted three hundred years earlier there would have been bitter feuds and bloodshed, for the Vikings felt strongly that the gods were their friends and that it was a duty to fight in their behalf. They would have fought to the bitter end in such a cause. The old faith was dying; its props were decaying; the spirit of man called for something to give it solace; that something came when the missionaries arrived with the message of promise and of hope which is the Christian religion.

CHAPTER VII

Superstition, Sorcery and Witchcraft

IT is a mere truism to say that the religious life of the individual is the most complex and many-sided aspect of his spiritual existence. To a great extent that life is individualistic; that is, notwithstanding a man belongs to an established church, organized upon the basis of a creed distinctly defined, his inner life is likely to be cast in a mold largely of his own making. His conscience, for factual as well as grammatical reasons, says *credo* not *credamus*. It is comparatively easy to ascertain and understand a national religion, or the formal dogmatism of a group, or denomination. By the same token, it is not difficult to grasp the essentials of Scandinavian paganism during the reign of the Åsas.

A thousand years ago, no less than today—perhaps no more generally, either—a strong individualism characterized the religious life of the people. While in externals, in everything open to the naked eye men rendered homage to certain deities in common, yet everyone possessed, in his innermost being, his own pet collection of beliefs, theories and explanations of the phenomena of nature, all of which we may lump under the conveniently elusive term, superstition.

The Icelanders have a more expressive word than "superstition" to describe this type of spiritual child. They call it *hjatru,* which literally means not standing above or upon, like our awkward Latin derivative, but alongside, or by the side. The Icelandic word does not carry an implication that these bastard beliefs had, in any sense, superseded, or attained a position superior to that of, the accepted faith. On the contrary, they are supplementary, supplying the needs, real or fancied, which the commonly avowed faith failed to satisfy. These notions were like addenda to the main body of religious belief; they were, so to speak, the annotations which each individual himself made, in the privacy of his own thinking processes, to the system which was the general possession of the people.

Thinking Scandinavians experienced the difficulties with which all mankind has been faced at all periods in its history; their religion or their intelligence did not fully or with finality explain the mysteries of Nature, and it became necessary for the individual himself to cast about for means of accounting for that which his faith left obscure. It resulted that there grew up a distinct body, a kind of undergrowth, of beliefs in all sorts of supernatural or supernormal creatures, some good and some evil, with whom man might establish personal contacts and relationships.

The ancient Scandinavians, in common with other races, regarded nature as peopled by innumerable wights or spirits who lived in rocks, waterfalls, groves, mountains, hills and valleys. They called them dwarfs, elves, nymphs, ogres, and giants. In some respects these beings were more powerful than man and could be of assistance to him. It resulted that many persons secretly offered homage to rocks, waterfalls, and the like, with the object of thus insuring the good-will of the beings supposed to dwell in them. In other instances elves and nymphs of various kinds were worshiped, on the supposition that it was desirable to have their good-will, as well as that of the gods.

Dwarfs had the reputation of being excellent artisans, particularly in such metals as iron, silver, and gold; an Icelandic idiom, still current, *dverghagur,* or *dvergur i sinni list,* etc., which means that the person to whom this applied possesses the skill of a dwarf, harks back to the days when belief that these little creatures lived in rocks and caves was common. Swords, rings and articles of ornamentation, made by dwarfs, were highly prized.

Elves or fairies were placated by various means and it was commonly believed that they, on the whole, were friendly to human beings. On the contrary, ogres and giants were regarded as enemies and classed with evil spirits. Certain natural phenomena, like eruptions, slides, and disturbances in the water, which brought terror to men, were believed to be the work of these huge monsters. That which men feared and distrusted was attributed to malign influence; and any natural disturbances which brought harm were supposed to be the work of the larger creatures, rather than of the midgets who lived in rivers, waterfalls and rocks. There were exceptional cases where giants were not regarded as wholly bad, but in the main there was no trust put in them.

Certain spirits were believed to exercise a protectorate over communities or families. These were more potent and of higher rank than the creatures which have been mentioned. The tutelary deities of the country, as a whole, were deemed powerful and dignified, and faith in them was general. In early Icelandic law we find a provision forbidding ship owners to approach land with gaping mouths or snouts on the prow of the ship because it was believed that these images would frighten the guardian deities of the country.

The faith in tutelaries is further evidenced by the folk-tale in which we are told that when King Harald sent one of his spies in the form of a whale to make a report as a basis for an expedition against Iceland. When the sorcerer approached the land he saw, to his dismay, that hills and mountains were alive with strange beings, large and small. When he attempted to land a dragon met him, accompanied by an army of worms, insects and pests of various kinds, all of which breathed poison against him. He made a second attempt to land, only to be met by a bird of monstrous size and mien whose spread of wings was so great that it reached across a large valley. With it were flocks of smaller birds. A third time he tried at still another point. This time he was met by a huge and ferocious bull which waded into the ocean bawling threateningly. Legions of lesser creatures brought up the rear. The sorcerer decided that the odds were against him so he sought another landing place. Here he was frustrated by an enormous giant, taller than the mountains, who accompanied by lesser giants, approached him with an iron staff in his hand. The emissary was now fully discouraged and returned with the disappointing report that an invasion of Iceland offered serious difficulties.

These guardian deities are sometimes mentioned in connection with prominent families. They became protectors of the family with which they were identified, a notion which is really significant. It evidences the belief that the welfare of the family and the welfare of the nation, as a whole, are bound up in a common interest so that one cannot decay without a corresponding disintegration in the other. We may here have, in somewhat primitive form, the germ of patriotism. There is a strong conviction that the welfare of the family must be preserved if the best interests of the country are to be maintained. The idea is, in all probability, the parent of the feeling of nationalism which has outlived the sentiment of family solidarity.

The belief in tutelary spirits is extremely old and wholly pagan. As soon as Christianity began to spread these deities disappeared. There is a story of two well-known men in Iceland. They were lying abed when one saw the other smile. Upon inquiry as to the reason the answer was: "I smile at this, that many a hill now opens and each creature prepares his baggage, both small and large, and makes ready to go." It was shortly thereafter that Thangbrand, the second missionary of King Olaf, came to preach Christianity.

There were spirits and supernormal creatures who occupied the same relation to the individual as the protecting deities did to the nation. The former were called fetches or wraiths. Faith in their existence, as spiritual shadows of individuals, has lingered in Iceland, virtually up to the present time. Here again, there is a distinct meaning at the bottom of the notion. The belief is founded upon the conviction that the human soul is distinctly individual—another aspect of the individualism which was one of the fundamental concepts of early Scandinavian philosophy. The people of Scandinavia thought that the life of the individual was dual in character. The wraith which was supposed to accompany, or sometimes go before, a person, was thought to be his soul. Yet, although it came alone, the individual was not conscious that any part of him had severed diplomatic relations and were proceeding on its own. The owner of the absent and wandering wraith, to all outward appearances, possessed all his faculties. He could not even use these peregrinations of his inner self as an excuse for absent-mindedness.

The theory of the independence of the soul from the rest of the personality appears in many forms of expression and phrases in the language. Such forms as these are common in the old Icelandic and they persist in modern times: "My mind tells me so"; "Mind tells me all of this," etc. It was unequivocally believed that the soul was a separable part of the individual and could, sometimes would, appear independently and alone. The myth of Odin and the crows, Hugin and Munin—thought and memory—again illustrates the divisibility of the spiritual and material. Mind and memory may be severed from the person and become distinct beings to wander where they list throughout the world. The mind could assume an independent form and move from place to place as it chose, although the one to whom it belonged remained at home. Here, we have a personification of the individual consciousness that thought and imagination possess unlimited power to spread their wings.

The Sagas contain incidents where the spiritual elements of man appear disembodied or in shapes which suggest the natural characteristics of the owner, such as fox, wolf, bear, etc. Whatever the explanation may be, it was believed that these wraiths followed men, sometimes preceded them. Perhaps more often than not the story goes that the disembodied spirit appeared before the man himself arrived, with the result that it was known by someone that he was on the way. There is a certain logic in this because naturally thought precedes action, at least theoretically. Sometimes the wraith and his owner would walk side by side and men gifted with second sight could see both. Always, in whatever form the wraith appeared, the idea of the independence of the spirit and its separability from the physical was paramount.

The Icelanders deemed it highly important to have the friendship and support of powerful fetches or wraiths because upon them depended to a high degree their success in war. It was commonly believed that King Olaf Tryggvason was under the guardianship of potent spirits of this type because of his prowess as a warrior. We are told sometimes that there was a struggle between a sorcerer and an individual of a family who was saved by protective deities. Frequently, though not always, the deities were triumphant over witchcraft. The deities, family and individual, guarded the household and the person, warded off dangers, and kept away evil spirits.

Ordinarily, the protecting spirit kept faith with his ward to the end; but now and then it withdrew its protection, which is evidence of a current conviction that a spirit might justifiably desert a man if in some trial he proved disloyal to the highest in his nature. In such a contingency the renegade betrayed the family honor, violated the holy pledge of loyalty to high principles of conduct, and the family spirit could do nothing but turn its back on him. He had committed treason and become a pariah among men and gods.

The fate of men after death was not believed to be uniform. Some went to Valhalla and dwelt with Odin in agreeable surroundings, fighting each day, as in life, but with the difference that the dead at nightfall rose again. They thereupon sat down to a feast, with the Valkyries performing the office of Ganymede, distributing the mead which was the choice liquor of the gods. Others went to Hel, the abode of the dead—not the Hell of the Christian system—where the surroundings were not nearly so interesting or attractive as in Valhalla. There was perpetual dusk and the existence was monotonous and dreary. Still others went to and lived at Ranar in the halls of Ægir, the god of the sea, on the bottom of the ocean. Still others suffered the great misfortune to be seized by evil giants, a fate which, in all probability, befell only evil men and chronic wrong-doers. In the main, the Icelanders believed that those who died in battle went to Valhalla, those who died from sickness or old age, to Hel, and those who were drowned, to Ranar.

The belief concerning life after death was somewhat shifting and uncertain. The record justifies the inference that the warp and woof of opinion as to immortality was that noble and courageous men were predestined to enjoy the pleasures of Valhalla; while those who amounted to nothing in life or who enjoyed an evil reputation, were consigned to Hel, regardless of the manner in which they died. The precise beliefs in this behalf may be uncertain, but it is clear that the Icelanders of this age generally believed in existence after death had ended the life on earth, and that the future life was, in a measure, a continuation of their earthly career.

The picture which the Icelanders drew of Valhalla is largely a replica of the form of life which was deemed most heroic and attractive. The belief that the fate of men after death was not uniform, but depended, to some extent, upon their earthly condition, reflects the fundamental principle of the belief in the Asas, namely, that there is a steady struggle between good and evil. Noble and brave men live with Odin and fight on his side when the world battle begins; evil men and useless, who dwell in Hel, fight with the giants against the gods.

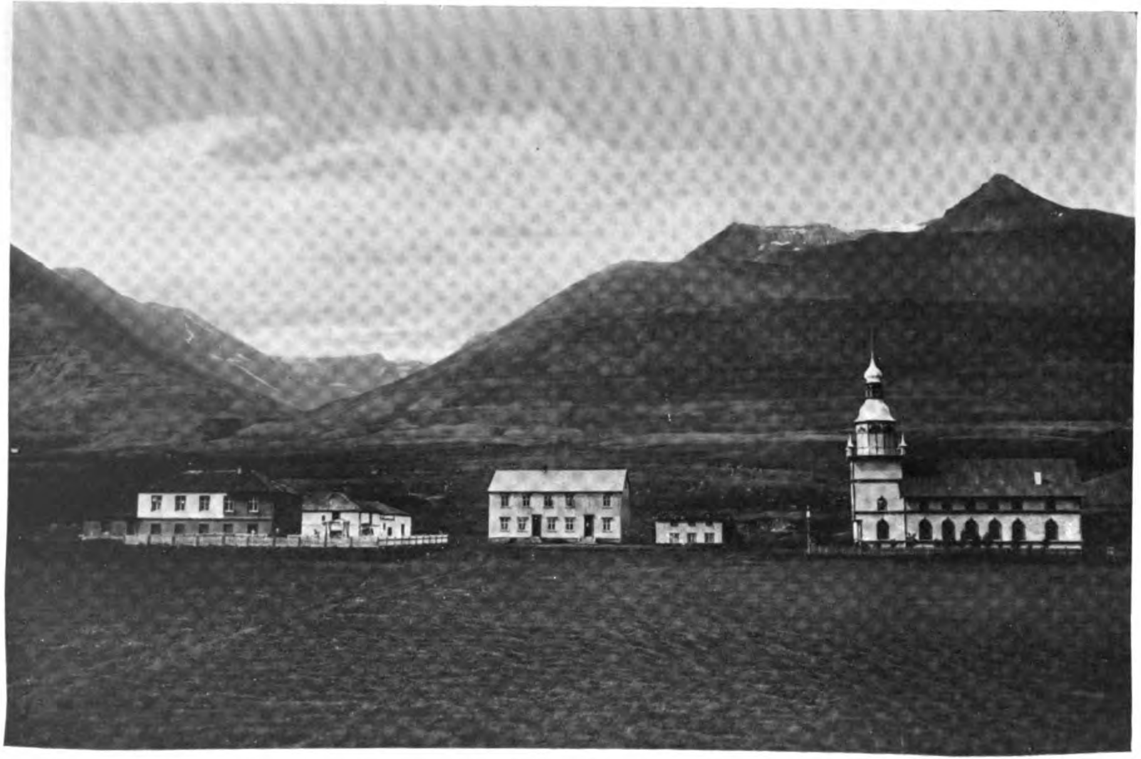
In connection with the foregoing reference to the beliefs of the people concerning immortality, we find mention of men who were thought to have established a domicile after death near the places where they lived. The home thus selected was usually in hills or mountains in proximity to the earthly dwellings. It resulted naturally that the descendants revered the places where their ancestors were supposed to dwell. Some believed that they would, after death, occupy hills and mountains where their ancestors had established their ghostly residence. Sometimes a lively imagination reported that these places had opened and wonderful sights of feasting had been seen and conversation heard. Again, it was the custom with some distinguished men, probably traceable to this belief, to walk out upon hills or towards the mountains when some difficult problem absorbed their minds.

It is in keeping with the beliefs described that the people should have thought that the dead sometimes returned to their earthly homes and made themselves visible to relatives and friends. The Sagas tell us of dead men who were seen again moving in the flesh. There are, of course, instances in great variety which parallel, in supernormal aspect, the events which are related in the psychic journals concerning manifestations before, at, or after death. The great French astronomer Flammarion spent more than forty years of his long and interesting life in collecting and verifying thousands of incidents of this type, hundreds of which he published in book form. While he commenced the investigation a disbeliever, at least a skeptic, concerning the merits of spiritualism, he died seemingly convinced not only of the existence of the soul and of its life after death, but of the validity of at least some of the claims of this cult. The people of Iceland, during the pagan age and afterwards, were equally convinced, and upon data no less unreliable, that the soul had a separate existence, that man had the capacity to make himself visible after death, and that the living could, in certain contingencies, establish communication with the dead.

The return of the dead was sometimes terrifying and disastrous. Their reason for returning to the land of the living could be evil or good. People frequently fled from their homes because of apparitions. It appears to have been the belief that men who were cursed with an evil disposition in life would, upon appearing after death, commit all sorts of misdeeds. Another peculiarity of this side of the spiritual life of the people was the notion that those who succeeded in "killing" these apparitions—laying the ghost—were themselves always certain to come back after death and perhaps join the very spirits against whom they had fought.

The ideas of the Scandinavians concerning invisible nature and the independent existence of the soul, were various and somewhat conflicting. They believed that there were many creatures, some good and some bad, who were ever busy either for good or ill, but whom man could not see. They seem to have believed that the soul, in a narrow sense, was not subject to the laws or the limitations of the body, but that, enjoying a separate existence, it could, after death, move about freely at or near the place of its earthly corporeal domicile.

One characteristic common to the beliefs in the supernormal creatures in nature and in the existence of the soul was the idea that the dead were much superior to the living in wisdom, knowledge and understanding. As a consequence it was deemed very important and very useful to establish connection or communication with the dead or with the spirits of the dead. This could be accomplished, it was believed, through the assistance of



Grund in Eyjafjordur

occult practices which were in the Sagas called *seidr,* or *galdur,* which freely translated mean, spells and witchcraft, or sorcery.

The art of conjuring by spells and the practice of witchcraft appear in the Scandinavian chronicles originally as related to the poetic art and writing of Runes, and were attributed to Odin. In the poetry known as Havamal, Odin explains the origin of the Runes, but somewhat obscurely. He tells us that he was voluntarily suspended from the branches of Yggdrasil and it was probably out of this symbolic hanging of the chief of the gods that the idea of the origin of the Runes grew and on which the belief of the Scandinavians in witchcraft was really based. Indeed, there is reason to believe that here it is intended to point out the innate relation between the spiritual and the natural, between the spirit of man and nature. The Runes, in this connection, signify merely the universal life and the universal law, the innermost nature of all things.

It is intimated in the poetry that originally everything in the world, from the loftiest thought of the human mind, to the smallest seed, was marked with Runes, and had its separate and distinct Rune, or letter. He who was able to read or decipher these, he who understood and could recognize the "true letters," understood the essential nature of all things, animate and inanimate, and, in consequence, acquired power over them. Here we have in symbolism from the ancient thought of the North, the principle which colleges and universities like to inscribe over their portals, namely, "Knowledge is power." In addition, we have the philosophy which successful men in all ages have suggested as the key to achievement, to wit, that the highest knowledge and understanding can be achieved only through self-denial and self-sacrifice. Such is the symbolism of Odin hanging in the great tree of Yggdrasil, and through that sacrifice and self-denial he came into possession of that knowledge which was the open sesame to power over all things. The highway of learning thus leads through hardships, trials and suffering before the heights of full understanding can be attained. The reward which was believed to await the searcher after knowledge and truth is illustrated in the idea that the highest knowledge is the highest power.

The method and practice of sorcery and witchcraft were highly difficult and technical; and women appeared to possess a special skill in certain aspects of this interesting business. They were well thought of and esteemed socially—these people in the North were not always sufficiently civilized to know that their own salvation might be furthered by torturing them; they found that out soon enough. Runes were both good and bad and, since spirits were both good and evil, the contacts with the spiritual world might result in one or the other, depending on circumstances and motives.

To write the Runes, or "cut them," as the expression is, required great skill and profound learning in the occult. A mistake here might be seriously harmful, even fatal. The art of witchcraft or sorcery could be practiced in order to bring ill luck and injury to men and animals. Had not men believed that through black magic ill luck could be directed against enemies, witches would not have been stoned in Scandinavia, or burned in England and America.

From the earliest times mankind has been curious to peer behind the veil which hides the future. To foretell events has in most, if not in all, ages been one of the leading objects of occultism. In the Sagas individuals are occasionally mentioned who possessed the gift of foreseeing and foretelling future events. They were said to be possessed of the gift of prophecy, or foreknowledge. It seems that this power was considered a natural endowment, in some cases, and in others the result of knowledge of certain practices. If persons especially gifted were not available it was necessary to consult those skilled in magic, that is, the practitioner of witchcraft. In this manner, it was believed, communication with the spirits of the dead could be established and information obtained from them concerning the future.

Women appeared in the rôle of seeresses more frequently than men and were called Volur. It was deemed unbecoming in men to have much to do with this strange business. Skill in the writing of Runes, however, as heretofore described, was more particularly the possession of men. Women sometimes traveled from place to place and told fortunes. While they appear to have been treated respectfully, they did not stand so high as those who remained at a fixed abode. We have very elaborate descriptions of the manner in which fortunes were told. The practice was highly technical and, inasmuch as this is not intended as a manual for fortune-tellers, a description will not be included here.

One method of establishing communication with the dead deserves more specific mention because it suggests the cult of modern spiritualism which has acquired prominence and won some adherents in the world today. It has been suggested that spiritualism, and all that it implies, is of comparatively recent origin. It is not so. It is probably as old as humanity itself. The people of Scandinavia knew and practiced methods that strongly suggest a seance which might be conducted in the year of our Lord 1930. It is not an ordinary witch; it is not an ordinary sorcerer; it is not an ordinary Vala, or fortune-teller, who is the central figure in this scene, but a historical person by the name of Thrandr. Nor is there a Fox or a Fish a heroine in the tale. A well-known local man and associates had not been heard from and fears were entertained concerning their safety. Thrandr had a fire made with a framework or grill. He commanded the people present not to speak to him. After he had sat thus for a time a man appeared whose garments were wet; the apparition was recognized as one of the missing men. The figure walked to the fire, reached out his hands, turned and disappeared. Another member of the missing party was recognized. Shortly thereafter a third apparition came, all bloody, carrying his head in his hands. He was immediately recognized as of the missing. The figure hesitated a moment in the middle of the hall and then vanished. The story then tells us that Thrandr, quite after the fashion of the modern medium, stood up, sighed heavily and said: "Now you can see in what manner these men died." It is evident that the people present and the chronicler believed that it was possible to bring spirits from the other world through the efforts of living persons. That appears to be among the essential theses of spiritualism. Thrandr, therefore, should be assigned a niche in spiritualism's hall of fame, with Sir Arthur Conan Doyle, and other kindred souls.

The history of the decline of witchcraft and sorcery in Iceland parallels that in other countries. Originally, while the people were wholly pagan, the masters of occult science were held in high esteem, whether men or women. The power of communicating with the dead was considered a supernatural endowment, a notion which held its ground for generations after Christianity, and indeed, still holds its own in many respectable quarters. As time passed, it was discovered that many a person thus endowed used the gift for selfish, evil and vindictive ends. It was not long before men of self-respect and high honor would have nothing to do with the black art, or those who practiced it. After a time witchcraft and sorcery were proscribed by law. The hero of the Saga of Grettir the Strong at last came to his doom through the powers of witchcraft. When demand was made for the reward the claimant was severely condemned and received very little support at the Althing because witchcraft had come into general disfavor. The outcome of the case was that the claimant was made an outlaw, and a law was enacted that all who practiced witchcraft be banished. This was in the year 1032.

As time passed the law against witchcraft was not permitted in all cases to take its course, but the sorcerer was seized, a bag pulled over his head and he was stoned to death and buried like an infected animal or some loathsome creature far from the abodes of men. It was essential to observe great care in getting rid of these persons. The bag was pulled over the head to prevent the victim from seeing anyone, because if he did it was believed that harm would follow—one aspect of the legend of the evil eye. In one instance there was a small opening in the bag through which the victims could look out upon a beautiful grass-covered plain. His evil glance denuded the ground like a blast from a blow-torch, and the spot remained bare forever after.

Superstition and belief in witchcraft gradually declined. Civil and ecclesiastical law jointly trained their guns upon it. Yet, up to the present time, not only in Iceland, but in other Christian countries, the ghost of superstition has never been wholly laid. In Iceland, after the Reformation, superstitious beliefs took a new lease on life and enjoyed a period of general recrudescence in a most virulent form. Religion alone has never been sufficiently powerful to uproot it. There is only one force before which it yields, and that is enlightenment. There will always be superstitious beliefs in some form in the world for the simple reason that it is vain to hope that man will ever acquire complete knowledge and understanding of all things. There will be mysteries unsolved; there will be forces and manifestations which cannot be wholly explained or understood; and in the darkness of the unknown and the mysterious the larvæ of superstition will germinate and grow. The most powerful ally of Christianity—as perchance also the greatest, if unconscious, foe, because the average man does not know how to make proper use of its deductions—is and will be science which explains the obscure, boldly theorizes about that which it cannot clear up, and steadily expands the horizon of knowledge.

CHAPTER VIII

Christianity and the Church

IT was during the Viking Age that the people of the Scandinavian North first came in touch with Christianity. The contact occurred during Viking expeditions against other parts of Europe. There is little in the Sagas which indicates that the new faith made a distinct impression. The people had limited opportunity to become familiar with the details of doctrines; and their interest was not in the salvation of their own souls. The accounts of their numerous expeditions are devoid of evidence that the churches or monasteries were regarded with reverence. The great treasures housed in the holy buildings drew more powerfully than the promise of eternal bliss. They were rather consistent church goers, but *sans* welcome or invitation from the holy fathers abroad who, not without good cause, saw in them but indifferent material for sainthood.

As time passed, and the relationship between the Vikings and the people of the rest of Europe became more intimate and friendly, the Scandinavians gradually acquired a better understanding of the principles of Christianity. They became interested, not just mercenary, visitors at mass and were profoundly impressed by the mysteries and the magnificence which surrounded them. The churches were attractive. In every niche they saw the costly image of a saint; and before the figures and the altar burned tapers, reminding the Vikings that the new faith was the light of the world. The rich vestments of the priests and the strange charm of the choral services enhanced the impression. They were unaccustomed to such splendid solemnity. Incense filled the sacred places; and music, simple though it may have been, soothed their restless spirits. Upon the serious minds of the Scandinavians, untutored in this sort of worship, the ceremony had a powerful and lasting effect. The language was strange; the surroundings inscrutable and mystifying. The most unregenerate Viking could not but pause in awful, if unsanctified, reverence. Many yielded to the appeal of the mystic rites and were baptized in the new faith. This was particularly true of those who established themselves in Ireland, Scotland, England, and Normandy. As is well known, the stress of circumstances forced many of them to come to Iceland, whither they brought the new faith.

When we examine more closely the essential characteristics of Scandinavian paganism and of Christianity, the two systems contending for supremacy in the north of Europe, we are impressed by striking contrasts and dissimilarities. The faith in the Asas was, in its essence, a gospel of strife and of death. Christianity, on the contrary, bore the message of peace and good-will, a condemnation of warfare and bloodshed, and a promise of a future life. The doctrines of paganism, as accepted by the Vikings, demanded that no slight, no injury or insult, go unnoticed or unavenged; Christianity was built upon the cornerstone of forbearance, of charity, and of meekness. The life of a worshiper of the Asas was in part motivated by a militant ambition to attain worldly fame; that of the theoretical Christian was regulated by the hope of salvation and heavenly glory.

It is not surprising that the Vikings, at first blush, looked upon the new religion as weak and unmanly by comparison with their own. Fasting and various acts of self-denial seemed useless and unreasonable. These warm-blooded lovers of strife were fond of good things to eat and drink. It was an age when "life was life and men were men." As is said in the Sagas, they demanded food without argument or equivocation and scorned the abstinence of fasting days. They found it difficult to understand why the gods of the Christians should insist that healthy and hungry men voluntarily starve themselves.

A prominent Icelander had been baptized in Norway, and, upon his return to Iceland, fasted for several days in conformity with the supposed requirements of the new faith. When the news of this heroic act of self-denial spread, men came from afar to gaze upon him. That any religion could cause a man in normal health to refrain from eating good food and from drinking good liquor, was a marvel which attracted and held the attention of gaping and wondering crowds.

Yet that they did abstain, in full keeping with the most exacting demands of the church, once they had put themselves in her keeping, is no cause for wonder to the historian who understands their true character. In all matters of conviction or of principle they enforced rigorous self-discipline and self control. With them a namby-pamby surrender to any sort of appetite, no matter how insistent, when yielding was conscientiously unseemly, was utterly contemptible.

There were still other reasons, perhaps not quite so materialistic, which cast obstacles in the way of the spread of Christianity in Iceland. One of the outstanding characteristics of the Scandinavian of this period was loyalty. Few offenses were considered more reprehensible and less deserving of condonation than broken pledges, or a failure in any respect to keep the faith towards one to whom it had been unqualifiedly pledged. The Vikings considered the Asas their personal friends; there was an intimate comradeship between the Scandinavians and their gods, sometimes approaching that feeling of good fellowship we find between equals, which made them feel that it would be tantamount to a breach of an obligation of honor to end the relationship. It is related in the Sagas that men of high standing, both in Norway and in Iceland, who had accepted the principles of the new faith could not bear to hear the ancient deities denounced.

Underneath the devotion to the new system the fires of pagan affection glowed with quiet but insistent warmth. The Vikings formally laid aside their gods, but would not suffer them to be reviled. There was involved in the introduction of the Christian and the extinction of the pagan faith a fundamental change in certain essentials of Scandinavian nature. The faith in the Asas and the character of the people had developed in intimate association with their inner life. Not only had paganism shaped ideals and habits of thought, but the conduct of the people for unknown ages, had been, to a great extent, influenced by beliefs which they were suddenly asked to renounce.

There were other and countervailing facts which aided the spread of Christianity despite the conflict in principle between the old and the new. There were some things in common. The cardinal doctrine of the everlasting struggle between good and evil was common to pagan and Christian theology; and the Christian conception of judgment day had certain elements which suggested the ancient idea of Ragnarok. The miracles performed by Christ reminded of the tales about the marvels attributed to Thor; and the prophecy that the former would crush the head of the serpent was, in some respects a counterpart of the struggle between the latter and the Midgard-serpent. The biblical story of the descent of Christ into hell recalled the incident of Thor's visit to the home of the evil giants. Indeed, there is some evidence that these Scandinavians were inclined to confuse the images and mingle the characters of Christ and of Thor. Both were the ideal of power, and the struggle between Christianity and paganism took on the aspect of a duel between the "White Christ" and Thor of the Asas.

Paganism was tolerant of witchcraft and of the numerous progeny of superstition. The gods of ancient Scandinavia were not jealous gods. Few obstacles were put in the way of Christianity when force was not used or threatened in order to effect conversions. At this period in Iceland there is abundant evidence of religious liberty and of toleration of differing views in matters of faith. Sometimes an obstinate Icelander would refuse to desert Thor, but, with a spiritual elasticity truly remarkable, he would add Christ to the complement of deities and do Him homage on equal terms with the mighty Thunderer. It was a matter of comparative indifference whether there was one god more or less; a place for another could easily be found on the altar without embarrassment to worshipers or worshiped. Their natural hospitality rose superior to prejudice and readily admitted a new figure to the group of celestial friends.

The spread of Christianity was made easier because of the decline in paganism which had already set in. The power of the ancient gods over the minds and hearts of the people was broken before the first missionary came. Faith and the spirit of religion had begun to decline; the convictions of the Scandinavians upon the things of the spirit had been growing weaker, more indefinite and indistinct, year by year. The development of atheism had commenced. The Vikings were individualists, and were inclined to put the main reliance upon their own strength, or else to embrace crude superstitions, which changed from time to time and from place to place. The spiritual life was in a state of flux.

This condition could not last long; it was wholly unsatisfying. Superstitious beliefs, as a steady diet, fail to afford that spiritual complaisance which man seeks through faith in a supernatural being. We are led to believe that there was a vague consciousness of a higher power in isolated instances. To what extent this was due to contacts with the Christians of other lands, can never be known. Whether the restlessness of the spirit was merely a stage in the progress of the people from one plane of intellectual and moral development to another, we cannot tell. It may have been a manifestation of a dissatisfied and inquiring soul, groping in the darkness of superstition, like the altar which Paul found at Athens bearing a dedication to the unknown God. Whatever the explanation, the sources are rich in evidence that men of high standing and intelligence had become weary of the old gods, and more so with the rank superstitions which grew up in their place.

One Law-speaker, a man of great learning and of good character, conscious of the imminence of death, ordered his servant to carry him outside where he reverently commended himself to the care and mercy of the Power which had created the sun. The record shows that this man governed his life in conformity with the first precepts and the finest traditions of the Christian religion. This incident points to the fact that there was, before the first missionaries arrived, a growing consciousness of the defects of the old system and a reaching towards something different, something better, and something higher.

Mention has been made of the fact that the island was settled to some extent from Ireland, Scotland, and from the islands off the coast of the British Isles. Some of these men were undoubtedly Christians; others, if not Christians, had come in contact with those who had embraced the faith. In some instances the Sagas specifically say that such was the case, mentioning the names of prominent men among the pioneers. It is doubtless true that many of the settlers were Christians, or had come under the influence of that religious system, especially those who came from the British Isles or from the islands in their vicinity; and some followers of the leading men, especially those of Celtic extraction, were very likely Christians, although there is little or no mention of that fact.

It is said of some of the leaders that, although they had embraced the faith, they, nevertheless, had dealings, with Thor, particularly when they went to sea or undertook some difficult tasks. In short, Thor was still an anchor to windward; they were not prepared to throw the old overboard entirely in exchange for the new, until the latter had been fully tried and its merits proved. We all know persons of this cautious cast of mind. Many a man who proudly exhibits a belt with an initialed buckle, if some prying reformer looked under his shirt, would be found wearing a pair of "invisible" suspenders.

While nominally Iceland was a Christian country, almost from the beginning, yet the influence of Christianity was but little felt for a century afterwards. Paganism remained the dominant system. It has sometimes been asserted that Christianity ceased to exist in fact among the descendants of the first converts. The sons of the pioneers erected pagan temples and continued to render homage to pagan gods. In comparatively few instances did Christianity follow the line of family tradition, although exception, in this respect, should be made of that part of the island which for a time was occupied by the Irish. Here, in the abiding place of the Culdee fathers, the ancient faith of the Asas was taboo after the "White Christ" had established his nominal reign.

Notwithstanding the decline, or, more accurately speaking, the failure of Christianity to take a vigorous hold on the minds of the people, the steadily growing intercourse with other nations had a tendency to reawaken the sparks which the conversion had kindled. These embers may have been almost smothered in later years; yet the citizens of Iceland established connections with the leaders and the kings of other countries where commercial relations were maintained upon a substantial scale. It resulted, in many cases, that these half-pagan, half-Christian men were baptized from motives of expediency rather than conviction. The story comes to mind of the Scandinavians who complained bitterly that a certain baptismal ceremony at the court of a continental Prince was the shabbiest in which they had ever had the major rôle. A little baptism now and then was relished by these business men.

There are proofs that it was believed advantageous, from the purely commercial standpoint, to submit to the sacrament of baptism, whatever may have been the true spiritual state of the individual. Two distinguished brothers, who joined the court of Ethelstan the English King, were baptized because that appeared to be the prevailing custom, as well among merchants as others who had relations with Christian people. The Sagas naïvely add, by way of stating the anticipated advantages of baptism, that they were freely received into the society of Christians, but that privately they entertained such religious convictions as they chose. They were surprisingly modern, these newly converted Vikings. These highly practical reasons for conversion may seem startling, but, after all, may they not evidence merely a certain capacity for adjustment to circumstances after the manner of a truly facile and modern American writer, prohibitionist, or politician? It was not later than the year 1928 that the governor of one of the great states of the American Union said, when a pastor of the church to which his excellency had belonged at the time of his election, called on him for the purpose of inviting him to attend services regularly: "I presume that as I am now in politics I shall have to patronize the other churches as well." There is here a certain pragmatism in no sense and in no degree superior to that which actuated the Vikings to accept Christianity in order to insure the success of commercial intercourse, or to avoid losing business through religious prejudice.

It is not inconceivable that these business men of the eleventh century might have gone so far as to don mask and night-shirt to win business, even as United States Senators are reported to have done in order to gain votes. Of course, it may well be retorted that it is neither just nor accurate to ascribe to the rank and file of Americans the standards of some United States Senators, but the point remains valid that throughout human history, whether ancient or modern, whether in the senate or on the farm, the sovereignty of principle has ever remained insecure. There has been change, some of which may be correctly described as progress, in a great many directions since the year 1000; but there has been no essential change in the ethical quality of the motives which actuate human conduct when self-interest is involved.

There is no evidence in the Sagas that the men who accepted baptism for business reasons returned to their native country with a burning desire to convert their fellowmen. It was not to be expected that they would; on the contrary it was probably good business to neglect to mention the conversion. The spread of Christianity has never received any real impetus from this sort of missionary zeal. No man would give himself over to the task of spreading the gospel in that day unless he felt a real conviction upon the subject and was prepared to accept martyrdom, if need be, as a consequence. It does not seem that there were many so minded. Those who braved the hazards of missionary enterprise were usually monks who had renounced life, its trappings and temptations, and who, perhaps, looked upon suffering and death in the cause as something to be desired. It is, therefore, interesting as well as surprising that an Icelandic Viking, who had a long and successful record as a pirate upon the high seas, should become the first effective missionary among these turbulent people. The name of this person was Thorvald, the Widely Traveled.

Thorvald belonged to a distinguished family in Skagafjord in northern Iceland. His father and uncle were men of substance, one wealthy, the other a Godi. He was brought up by his father, but without affection. He seems to have been one of Saturday's children in that home. His brother was the favorite. It is said that a fortune-teller prophesied that the future of the boy was to be brighter than that of any of his people. Through her advice he was given an opportunity to go abroad. For his use he had the choice of three sums of money. The fortune-teller chose that one which had come to the father through inheritance because, as she said, "that is untainted money"; the other sums, she thought, had come through oppression or avarice. As the president of a modern reform society, or of an endowed university, the lady would have been a monumental failure and could not long have held her job.

The boy went abroad and joined a Viking expedition with Svein Split-Beard, who became ruler of Denmark, but who, at this time, was estranged from his father Harald, the Danish King. Thorvald was with Svein for some years, their field of operations being the western Atlantic. He had not been long with Svein when the latter discovered the heroic mold in which this young Icelander was cast. He was strong and courageous; he was quick and lucky in battle, high tempered, and generous to a fault; and it was said that he had many other qualities which earned him a fine reputation.

Thorvald stood in the forefront of the men of his time, not only as a bold warrior, but as a man. Prisoners of war he returned to their own people, and the booty of Viking expeditions he devoted, with the liberality of Robin Hood of tradition, to the ransom of men who had been taken in battle, and to the help of those who suffered or were in want. It is easy to understand why he acquired a name and fame which outlived him. On one occasion he saved Svein and his friends from imprisonment due to the high esteem in which Thorvald was held. Svein, long afterwards, when he had ascended the throne, paid a high tribute to the young Viking, describing him as gifted with the wisdom of kings, the courage of the bravest Berserk, and well mannered as the wisest philosopher.

For many years Thorvald had unknowingly and from innate promptings lived in conformity with the fundamental teachings of the Christian religion, and its doctrines were calculated to make a strong appeal to a person of his temperament and ideals. He parted company with the future king of Denmark after a few years of stormy and romantic association. Separation was inevitable at an early date. Svein was of a fierce and implacable disposition, and from the first, was hostile to the message of the Prince of Peace. Thorvald was the exact opposite, and, although he traveled widely, history does not record that the future missionary ever afterwards visited the royal buccaneer.

When Thorvald abandoned piracy he went to Germany and embraced the Christian faith through baptism at the hands of a certain bishop. It soon became evident that his conversion was no mere gesture of expediency. That boundless energy and thirst for glory which characterized the best of the Vikings, was, in him, turned into a burning resolution to lead his people into the light. He persuaded the bishop to accompany him to Iceland on a missionary undertaking during the summer of 981. The first winter the missionaries lived with Kodran, Thorvald's father, whose family and retainers were baptized, with the single exception of a son. The following summer they built a home in which they lived four years. From this place, as their headquarters, they traveled during the summer seasons, preaching the faith.

Their missionary endeavors although not striking were yet a substantial success. Many chiefs and heads of prominent families accepted the faith, especially in the north. Unfortunately, they encountered but little opposition, with the result that they underestimated the tenacity of paganism, even in its moribund state, and the very real affection of the Icelanders for the Asas of old. They took the injudicious step of presenting their message at the Althing, the very citadel, the Olympus, of the ancient gods where the great men and leaders of the island assembled.

It will be remembered that at the Althing the Godis were in control and their rule was so bound up with paganism that the latter could not be overthrown without threatening, perhaps destroying, the power of the former. At the Althing Thorvald delivered an oration urging his countrymen to accept Christianity. To his profound disappointment he discovered that Thor still lived in the hearts of his people; that his hammer, though rusty from lessened use, still imprisoned the mighty thunderbolt. A representative of the old régime stood up in his place and spoke against the missionary with such powerful eloquence that, as the story goes, nobody took seriously the preaching of Thorvald.

It was a tactical blunder to lay the matter before the Althing. The leaders were incensed by this bold assault upon the foundations of their political power as well as of their faith. Missionary endeavors, while privately conducted, the chieftains might ignore, but an invasion of the vihara of paganism, they could not tolerate. The repulse was merciless and incisive. The missionaries escaped without physical injury, but certain adherents of the pagan faith procured poets to compose satirical verses lampooning the upstarts who dared wage war on the Asa faith. Of the foreigner, they expected nothing better, but that Thorvald, their own countryman, should be so graceless, was especially offensive. Against the latter were directed the poisoned darts of scornful insult. He was so angered by the satire that he killed the poets, a drastic method of handling a trying situation.

While one may, on occasion, regret that this efficacious method of dealing with versifiers has gone out of fashion, yet, on the whole, it is for the best. Once in a century a good poet might be killed with the millions who are unspeakably bad. Society now finds it more civilized to permit the literary critics to attend to the homicides in the name of art. It gives the critics pleasure; inflicts no appreciable cruelty upon the poets; and leaves posterity the privilege of silently demonstrating that the critics were wrong.

The failure at the Althing did not discourage Thorvald and the bishop. They decided to try conclusions with the Asas at one of the local Things, selecting for this purpose the Thing at Hegranes. It was in the jurisdiction of this Thing that they had one of their most powerful supporters. The followers of Thor had been awakened to the danger in which their idols stood, and the missionaries did not receive a friendly hearing. They were shouted down when they attempted to speak and stones were hurled at them by the angry populace. Again they escaped with their skins, but to such an extent had opposition been aroused that the following year Thorvald and the good bishop were found guilty of an offense at the Althing and ordered to leave the country. They left in 986, after having lived five years in Iceland, arriving in Norway in the fall.

The man who had spoken against Thorvald at the Althing met him in Norway that summer. The missionary promptly followed the pagan orator and killed him. This method of saving souls was not in the bishop's code book, so he left his fiery colleague and returned home. A man of fine character, when measured by the highest standards of his time, endowed with the courage and energy which carry men to the heights of achievement, Thorvald was cursed with the fierce and rebellious spirit of his ancestors, which, in the face of provocation, he could not restrain.

He keenly felt the desertion of his friend and became a penitent wanderer upon the face of the earth. Like Ishmael he moved from place to place, unable to find peace or comfort. It is likely that he was harassed by the stings of conscience which probably upbraided him for the violence of his conduct. He ended his days, a recluse and voluntary outcast from his own people, in a monastery in far-off Russia. Thus passed out of life the first real missionary to Iceland, a man moved by sincere faith, misguided in his methods, but loyal to his ideals to the end. The spirit of humility, exemplified in the character and conduct of the lowly Nazarene, did not, until too late for the good of his missionary enterprise, purge Thorvald's Viking soul of the ancient philosophy that no insult must ever go unavenged.

Although the missionary labors of the bishop and Thorvald terminated rather abruptly, they were far from fruitless. They had pursued the enterprise with ability and zeal. Thorvald possessed some of the qualities which in a missionary among the Icelanders were calculated to make easy the path to conversion. He was a strong, courageous, experienced, and magnanimous individual, but, unfortunately for the success of his cause, endowed in full measure with the fiery and resistless energy of his forbears. While his quick and sensitive temper proved his undoing, it was hardly a drawback in the eyes of his countrymen. They were not meek by nature; they respected courage and spirit in whomsoever they dealt with. On the other hand, the influence of the new faith, founded, as it was, on the gospel of nonresistance and peace, was necessarily weakened by the homicidal violence which was an incident of their attempt to implant it. Here the character of the bishop proved an excellent foil. His temperament was essentially different. He had his passions under control and firmly opposed his tumultuous associate. They made an excellent team, but the storms that raged in the bosom of Thorvald, when crossed by his foes, was beyond the power of the bishop to still.

The seed which they sowed, although at times seemingly smothered by the brambles of paganism, remained alive to germinate and bring forth fruit decades afterwards. Thorvald and the bishop had, in any event, been the first to make an open war upon paganism; they had fired the first guns at the temples dedicated to Odin and his associates in Asgard. Henceforth it would be impossible to squelch completely the questionings of the spirit which their preaching had set afoot.

After the missionaries left, in 986, efforts to Christianize the island were not renewed until Olaf Tryggvason had become king of Norway. While Iceland was not subject to his jurisdiction, he determined to introduce Christianity in it and in all the islands and countries which had been settled by people from Norway. Among these, of course, Iceland was the most important and soon became the leading object of the royal missionary zeal.

During the first year of his reign, in 996, he sent a missionary to the island. This man was a descendant of one of the well-known pioneer settlers and had been baptized in Denmark. He adopted strenuous measures which, at that time, were better calculated to antagonize than to win the citizens. He rode about in state with a numerous following, smashing temples and the sacred places wherever the people were unwilling to accept baptism. A Carry Nation may convert Kansas to temperance by such means; but with the Icelanders of that day, who were far from choice subjects for the specialists in intimidation, the policy proved injudicious and abortive.

The next year after the arrival of the missionary from Norway, the Althing passed a law that whoever injured the gods or dealt with them in a deprecating and disrespectful manner, should be guilty of an offense. This missionary had the doubtful honor of being the first victim of the new law and he, accordingly, took his departure in the year 997, unloved and unlamented of anyone. He had strengthened the spirit of opposition and consolidated the forces of paganism. The citizens of Iceland here, unworthily, fled to legislation as a refuge to reinforce the demands of bigotry and intolerance. The example set was followed conscientiously by Christianity itself in later years and in other countries, our own included. Peoples who thought themselves vastly more civilized than the Scandinavians of the Viking Age, who affected to despise them because of their violence, merely adopted a different kind of force to coerce conscience and fetter the human spirit.

King Olaf, disappointed but not discouraged when his missionary returned and reported failure, made preparations to send a priest who belonged to his court to spread the gospel in Iceland. The king should not be too severely criticized for his choice. A Viking, possessed of the ideal virtues of a Christian missionary, would have been difficult to find, even if Olaf had been truly anxious to enlist the services of such a man. A conscientious search would doubtless have been rewarded in heaven, but to encounter such an individual in the flesh was about as probable as it is that any one now living will see a man named Olson elected leader of Tammany Hall. One is impressed that his majesty considered the task of converting the Icelanders one of Herculean magnitude, when the character of the second missionary is examined. Undoubtedly they were a hard lot, and strenuous measures were needed to start them on the way towards salvation. Many of them were not anxious to be saved in the Christian manner; they were unimpressed by threats of Purgatory and unterrified by the most lurid descriptions of Hell.

Thangbrand, the new missionary, came prepared to adopt heroic treatment. He had committed numerous homicides and had been compelled to leave Denmark because of gross misdemeanors. Thereafter, he had become a priest in a church which King Olaf of Norway had erected. Here, however, the reverend gentleman lived in such state that the funds of the church were soon dissipated. He was a resourceful individual and in order to replenish the treasury he had robbed, he organized foraging expeditions against non-Christian peoples and maintained himself by the gold which he mercilessly extorted from them. In justice to King Olaf it must be said that he disapproved of these priestly methods and reprimanded him severely. The holy father, however, won the favor and forgiveness of his sovereign by undertaking the difficult task of converting the Icelanders. The pious Olaf possibly felt that missionary service in Iceland was a real penance, a sufficient punishment for the most outrageous crimes; at any rate, Thangbrand went.

Thangbrand had not been long in Iceland before the men whose sympathies were Christian distrusted and the pagans despised him. He would have suffered severely had it not been for the timely assistance of a yeoman, who accepted baptism and received the rascal into his home. The next summer Thangbrand began his journey on horseback and it must be said that he applied himself to his task with characteristic vigor. He was a large, vital man, physically strong, aggressive and unscrupulous, but gifted with marvelous powers of speech. He proclaimed the faith with the "sword in one hand and the cross in the other." During the summer he presented the message of Christianity at the Althing and many are said to have been converted. While riding the circuit he baptized several leaders and the heads of powerful families who became pillars of the new religion. Thangbrand, however, was unable to control his predatory spirit and in 999 was adjudged guilty of a homicide at the Althing and forced to leave the country.

In spite of a corrupt character and un-Christian methods, Thangbrand's missionary tour was a partial success. The explanation lies in the fact that seeds sown by others were taking root; that paganism itself was dying of its own incapacity to satisfy the demands of the soul; and that he was the possessor of the great gift of eloquence. When he reached Norway and reported to his king he presented a picture far from hopeful. He seemingly felt that much work would have to be done to save the Icelanders from the Devil, if indeed, the latter wanted such a disturbing element within his dominion.

At this date Christianity had taken substantial hold in the northern and southern portions of the island. It is impossible to state with any accuracy the full extent to which conversion had taken place, because the Sagas mention merely the names of the leading men who embraced the faith. It is likely, however, that Christianity spread extensively among the common people who in this, as in other matters, were likely to follow quite readily in the footsteps of the most prominent chieftains; and it must not be forgotten that the dogma of Christianity carried its strongest appeal to the mind and heart of the common man and found the least resistance in the bosom of the humblest in the social and economic scale.

It may be taken for granted that at this time a strong movement had set in, the result of which was that Thingmen were withdrawing from the pagan Godis and ranging themselves under the support of the Christian chiefs. At Althing in 999 it appeared that a division in sentiment was steadily growing and that no longer could it be said that Christianity was found only in isolated cases. At this Althing there was severe and somewhat general criticism of the pagan deities; the Christians spoke against them; and there was division and debate among sections and groups over religion. The following summer, the year 1000, the Christian group had become so strong that they hesitated no longer to organize and offer resistance to the other party.

When Thangbrand returned to Norway, with an unsatisfactory report concerning his missionary efforts, King Olaf threatened reprisals against some citizens of Iceland, then visiting or temporarily domiciled in Norway. Two distinguished Icelanders dissuaded the zealous monarch from his purpose by offering to go to their country that year and bring about the conversion of the people to Christianity. They were Gizur the White and Hjalti Skjeggjason. They went to Iceland the following summer, arriving about the time the Althing was due to open its annual session (in June). Hjalti did not proceed all the way to the Althing, but stopped with twelve men at a point some miles distant, the reason being that he was an offender against the law and it was not permissible for him to visit parliament. A short distance from the Althing his colleague established his headquarters at a strategic point. Highways radiated in all directions from his camp and made it accessible without coming very close to the plains where the Althing assembled. From this encampment they sent messengers to the Althing, inviting friends and relatives to meet in conference. Hjalti then came, being unable to contain himself longer, and thus defied the disability which the law put upon him. He was a man of high spirit and great zeal. The Christian adherents of these two leaders had heard that their opponents intended to exclude them by force, if necessary, from attending the session. The pagan party was present in large numbers fully prepared for any contingency.

These events took place on June 22, in the year 1000, when all England, saint and sinner alike, was atremble with the fear that the world was about to come to an end. When the pagan group saw what the other side was doing they formed their forces in warlike fashion and a clash of arms seemed imminent. Fortunately there were among the followers of Thor sober-minded men who earnestly desired to avert hostilities and the consequent confusion they foresaw. Night came and both groups retired, weapons within easy reach. Thoughtful men in both camps awaited the dawn with grave misgivings, for next day would decide whether there should be peace or war.

On the 23rd of June, the sun rose into a cloudless sky and cast his beams upon a scene of smouldering passions and lurking calamity. The Christians collected their forces on a river bank where divine services were conducted, the first Christian service held at the Althing, the spot hitherto sacred to Thor, Odin, and Frey. At the conclusion of the service they marched in a body to Logberg; in the procession were seven priests clothed in shining robes carrying crosses and vessels of burning incense. The two missionaries from King Olaf, well known by reputation among the people, spoke with great power before the assembly. Indeed, the Saga says that so impressive were their addresses that no pagan felt himself equal to the task of replying. It is, of course, possible that this statement reflects the bias of a Christian chronicler, but, be that as it may, the force of their appeal was well nigh irresistible. Feeling ran high; the more spirited in the crowd on both sides milled back and forth ready for the worst.

The tension had reached the breaking point; it required only some firebrand thrown into the assemblage by a Mirabeau or a Patrick Henry to unloose a struggle which would have brought widespread ruin and death in its wake. Each group seceded from the existing civil government and from the law; each group resolved on the spot to establish an independent Commonwealth; and each group felt and knew that such separation could mean nothing but conflict, confusion and bloodshed.

It cannot be fairly denied that the conduct of the Christians bordered on presumption. They organized a magnificent parade to Logberg, the very center of parliament, under the leadership of priests clothed in glowing robes, carrying the cross of Christianity and diffusing the incense which was a part of the ceremony of the new worship. At the head of the procession marched a man, Hjalti Skeggjason, who was virtually an outlaw, who, in defiance of the civil law and ancient custom, stepped boldly forward and spoke in a place where his presence was taboo.

There was much with which militant religious enthusiasm on either side would find it difficult to be reconciled. Christians, on the one hand, could not agree to worship idols, or to be wholly excluded from participation in the government. They would rather secede and form a new state than agree to the perpetuation of the existing order. On the other hand, the pagan Godis were equally determined to stand by their ancient gods and not surrender their long-cherished political power. They regarded the Christian party as a revolutionary organization and the Christians themselves as upstarts. In the eyes of the old régime the Christians were guilty of violating the law of the land and by their own conduct were deemed to have put themselves outside the pale of civil law. Thus, it seemed, an impasse had been reached; the differences were fundamental; both sides insisted that the conscience must be free; and an adjustment appeared impossible.

The Christian party withdrew; the pagans assembled at another point. To all outward appearances civil war was just around the corner. The Christians chose a new Law-speaker in the projected Christian Commonwealth, which they were ready to set up. They were serious and determined. The new Speaker was a wise and temperate man. He immediately entered into an arrangement with Thorgeir, the Law-speaker of the existing Commonwealth, that the latter proclaim the law, although a pagan and elected under the ancient régime. The responsibility was accepted and he forthwith repaired to his booth, retiring under a large robe which, so the story goes, he pulled over his head. He lay thus in detached and solemn meditation all day and the following night, without communicating with anyone.

On the following day, the 24th of June, Thorgeir threw aside the robe and summoned the populace to Logberg. He thereupon commenced the most important oration theretofore, or since, delivered on Icelandic soil. He lamented the fact that a division among the people and a break-up of the civil government impended unless men took counsel of wisdom and moderation to avert that fearful calamity. He pointed out that one law for the island was the only safeguard of peace and orderly progress. He urged upon his hearers that secession and the formation of two states would certainly lead to perpetual and bloody discord. He then said: "It seems to be advisable that at this juncture those who counsel extreme measures upon either side be not permitted to rule, but that we so compromise the matter in controversy that each side shall not wholly surrender its position, and that all of us recognize the authority of one system of law and custom throughout Iceland. It will prove true that when we sunder the law we end peace."

So wise seemed his counsel, so effective was his presentation that both sides agreed that one law and one custom should control throughout the island. His counsel prevailed that all men accept Christianity and baptism, but concerning the exposing of children and the eating of horse meat, the old law should stand. He advised that those who desired might continue to worship Thor and the heathen gods privately, but if publicly done punishment should follow. Then there was a universal baptism and the Althing adjourned. Thus Christianity became the state religion, but, in the main, the conscience continued free.

The foregoing briefly describes the events which took place at the memorable session of the Althing in the year 1000. Christianity was the result of compromise, and certain political considerations are rather obviously in the background. On both sides were conservative men who were anxious, above all, to maintain peace and order, and, therefore, work out a plan of compromise. The leaders who had the most prominent part in the settlement were men of fine intelligence who sincerely deprecated violence. There were passionate votaries of the conflicting religions in both camps whose headlong zeal was indifferent to means or consequences. This type was in the foreground during the early hours of the session, but as time passed they receded and the spirit of compromise and accommodation took their place. The counsels of moderate men quieted the turbulent passions of zealots; agitators gradually withdrew, or were shoved aside; and the more conservative and more intelligent men on both sides came to the front. The threatened secession, it was foreseen, would not only divide the island, destroy the existing government and introduce a new political state, but it would tear asunder families and friendships.

Few incidents in history, in magnitude approaching national proportions, involving fundamental questions of politics and religion, afford so striking an illustration of the wisdom of the ancients who counseled the supremacy of reason over the lower passions. And this bit of Icelandic history is in itself a voluminous commentary upon the essential sobriety of the Scandinavian character. To describe this event merely as evidence of national phlegmatism would itself be proof of complacent ignorance, or of a mean and patronizing soul. The actors in this stirring drama were the men, and the descendants of men, whose fierce and warlike spirit had inspired the people of the British Isles and of the mainland of the European continent to pray: "From the wrath of the Norsemen, O Lord deliver us!" They feared nothing on earth; and they loved nothing better than the music of clashing arms. The great compromise of the year 1000 A.D. was not of the kind that slothful cowards make; it was an adjustment born of reason and good sense, affirming the divinely planned sovereignty of a rational mind over the passions whose fires flash but give no light.

Although nominally the new system of faith triumphed in the compromise, yet paganism was far from uprooted. The conditions upon which baptism was accepted by the pagan party were of such a character that, in one sense, the Christians won but a pyrrhic victory. The conversion was merely a concession in the interest of peace. Little, or nothing, happened on that memorable June day to touch the hearts of men and turn them to sincere repentance. Habits of thought and worship were scarcely affected, or altered.

The Christians had full confidence that their faith would grow and push out paganism. The progress was slow, so slow, indeed, that popular thinking was not purged of its ancient characteristics until generations later. The organization of civil and political society continued upon a pagan foundation; official positions and institutions of government, such as the Godord, the Thing, and the legislative branch, stood in close and really fundamental relationship with the old faith. There was little outward and visible change in this respect, notwithstanding Christianity had been accepted, and most customs and practices, although of pagan origin, remained for a long time unchanged.

Feasts and festive occasions were observed about the same after Christianity as before. This was true particularly of the Yule feast and the celebration in the beginning of summer. There was a superficial change in this that after paganism had legally ceased to exist men drank, for drink they must, to the honor of Christ, of the Virgin Mary, of the Holy Ghost, and of the Saints, instead of, as formerly, thus honoring Thor and Frey. The intimate relation between the pagan temples and the Things, to which reference has been made, between the ceremonies of pagan sacrifice and the performance of governmental functions, continued without essential modification in any other respect than that a church structure and a church congregation took the place of the temple and the temple meetings under the old system.

It was the privilege of any individual to erect a church on his homestead. There is reason to believe that the practice of maintaining private places of worship was common throughout Iceland in this period, particularly by those who formerly had maintained a sort of public or quasi public temple. The pragmatic proponents of Christianity let it be known that an individual would have the right to dispose as many men in heaven as were able to find standing room in a church which had been built by him. Naturally, this inducement was a stimulus which brought about the construction of private places of worship for public use by chiefs and by community leaders throughout the land. Here the influence of paganism is obvious.

The vital importance, under the old system, in the great conflict of Ragnarok, of having a large army of competent warriors, had long been felt and understood by the Scandinavians; that a similar situation might exist in the Christian heaven helped the conscience to bridge the gap between the new and the old. The promise was a means of making the transition smoother, with less violence to old and established convictions. This bit of practical syncretism did no harm. To adapt to the new a principle which had been highly efficacious in holding men to the old religion was both expedient and wise. Indeed, it is obvious that in some respects the missionaries so taught the principles of Christianity as to make it appear that the differences were more nominal than real; that in fundamentals the change involved little more than a substitution of the reign of Christ for the rule of Thor. It is impossible to read the story of the first years of Christianity in Iceland without the conviction that commendable tact and discretion were used by the early teachers, without which much of history would have been writ in blood.

When an individual erected a church upon his premises he engaged someone to preach therein. Sometimes the owner himself undertook to perform the duties of the pastor's office. Here, again, we are reminded of the Godi who presided over the ceremonies of pagan worship in the temple which he had built upon his own land. The old relation between religious ceremonies and governmental activities was retained and the Godis remained, as they had been before, leaders in local politics and ministers of religion. The plan was not calculated to promote the cause of true faith. The church was, in reality, a national institution, a federal body, so to speak, and in organization and polity was essentially different from the Christian church in other countries.

One of the most powerful reasons for the delay in the spread of Christianity was the shortage of ministers or priests qualified to disseminate its doctrines. Although there was perhaps an abundance of church structures, capable and trained men were not available to fill their pulpits. There was no supervision concerning the observance of Christianity, or, for generations, in church government or polity. While the annals of Iceland mention the names of several bishops of foreign birth or extraction, who officiated in the country now and then during the first part of the eleventh century, there is little evidence that these foreign dignitaries established an intimate spiritual relation with the people. It was not until 1056, following the accession of Bishop Isleif, that any serious steps were taken towards the formation of church government on the island.

CHAPTER IX

Poetry and Saga

THE high notes of Scandinavian genius are sounded in the poetry of the Eddas. These poems, about thirty-five in number, deal partly with mythological and partly with heroic themes. The latter, in the main, are concerned with the Siegfried and the Theodoric legends. Prior to 1643, when an Icelandic bishop came into possession of a vellum from the latter part of the thirteenth century, on which were recorded poems and parts of poems which have since been known as the Edda of Sæmund the Learned, or Wise, this treasure was unknown. The vellum is deposited in the Royal Library at Copenhagen and now ranks among the most precious literary gems in the world. Other sources, notably Snorri's Prose Edda, show that there were many poems in existence at one time, which are not found in this collection. It is on this bit of parchment that we find inscribed a portion of that which is now known as the Eddic poetry.

Like the birthplace of Columbus, the date and authorship of the Eddas have been the subject of conflicting claims and theories. It appears most probable that the poems were composed in the ninth and tenth centuries, but the parchment on which the major portion has been received is of a date near 1275, and is a copy of an older manuscript which has been lost. Concerning the place of origin opinion has divided. One group has maintained that the poems probably originated in the Scandinavian

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settlements in Scotland, England or the Orkneys; others have thought that they were composed in Norway; while a third group is convinced that they originated in Iceland.

There is virtual unanimity that the Eddic poetry was first written and preserved in Iceland. It has been pointed out that during the tenth and eleventh centuries the Icelanders were much superior to other peoples of the same race in the field of poetry, and that they were without competitors insofar as serious attempts at versification were concerned. All the poetry, it must be noted, which has come to us from the Scandinavians of this era is founded upon an intimate understanding of the mythology of the North and the authors, in order to write poetry, were obliged to become thoroughly familiar with this ancient lore.

Among the outstanding characteristics of the poetry are wealth of figures and imagery; but here it was impossible to excel without a profound knowledge of ancient learning and myths. To the modern reader the chief difficulty in reading the poetry with understanding lies in the abundance of allusions to mythological tales, without a thorough knowledge of which the whole is utterly unintelligible. There is real support for the contention that the poems are mainly of Icelandic origin because the Icelanders, above all others, concerned themselves with a study of ancient myths. This fact alone may afford but slender props for the argument that the Eddic poetry was composed in Iceland; yet, inasmuch as we are speculating upon probabilities, the fact is not without significance to the thoughtful investigator. Those who maintain that the Eddic poetry originated elsewhere should have the laboring oar, in view of undisputed historical facts; in the language of the law, the intellectual habits and the poetic tastes of the Icelanders of this day should give rise to a presumption that Iceland was the place of origin, a presumption not to be overthrown save by substantial, as distinguished from purely speculative, evidence.

Scholars have attempted to show by minute analysis of the forms of expression in the poems, and by the terms or phrases used, that they must have originated in Norway, possibly in Sweden, or in some other country. In this connection, however, sight must not be lost of the fact that in the period under consideration citizens of Iceland were as much at home in Norway as in their own country; that the Sagas exhibit them as world travelers and frequent visitors and residents, for long periods, in Norway and the Scandinavian countries; and that there they were favorites at the courts of princes and of kings. Mere forms of expression and the language used in isolated passages are of uncertain value as a basis for valid conclusions respecting origin. Be that as it may, and regardless of the place where the poems originated, their interest in them, their devotion to them, their resolution to preserve them, give the Icelanders the paramount right to claim them as their spiritual possession.

When the Eddic poetry reached Denmark and became known in other countries, it created a world sensation. All sorts of speculations and fanciful theories were rampant concerning their nature and origin. Some thought the poems the work of a contemporary of Moses, originally engraved on tablets, like the ten commandments; others attributed them to a supernatural creature and supposed them to have been composed ages before the Trojan war; and some pronounced Edda the oldest book in the world. Shortly there was a reaction; the pæans of praise turned into laughter and ridicule. The poems were denounced as a mixture of pagan and Christian notions, a Norse goulash of heathenism and Christianity. It remained for the Grimm brothers in Germany to understand them correctly and to assign a proper place in the world of letters to the poetry of the Eddas.

While we cannot be sure that the poems come to us in their original forms, yet it has been said by conservative and competent students that some of them excel in loftiness of thought and in power of expression the best from the pens of Scandinavian poets down to the present time. Indeed, it has been asserted that no poetry, in any part of the world, has ever attained greater heights in sweep and depth of feeling and in literary art than some parts of the Eddas.

The claims for the Eddas as the high level of ancient poetic art, are not, as sometimes supposed, made without regard to the great forward strides in other fields. As pointed out by the historian Jonsson, it is a debatable question whether advancement in the natural arts is conducive to the development of poetic excellence. Poetry and art, in some respects, are at opposite poles. The formulas of experimental science are verified and they expand with each generation, but art does not always keep pace with this progress. The latter is a gift of Nature, a seed of divine growth, sometimes bearing the most powerful fruit among ancient and uncultivated peoples, and in the soil of insophistication where ideals and ideas are simple and childlike, but the feelings clear and strong. In the infancy of nations the imagination is rich and lively, the feelings strongest and most diverse. The mind roams without restraint through the realms of space and time. Everything the eye sees becomes at once living literature, takes on the semblance of life and truth no matter how improbable, unscientific or unnatural it may be. The feelings and desires are varied and powerful, sometimes uncontrollable, but they have not yet lost the natural innocence and candor of youth. These are perhaps the primary conditions of real poetry. With such a people the true romance still lives; and

> "Who holds by Thee hath Heaven in fee
> To guild his dross thereby;
> And knowledge sure that he endure
> A child until he die. . . ."

Language itself, in the childhood of the race, is perhaps best adapted to express simple and large themes; it is rich in tuneful and descriptive phrases and devoid of meaningless, far-fetched, artificial, or weak images and ideals. There is a real explanation, could we but find and express it, for the fact that the ancient poetry of vanished nations is beautiful in thought and forceful in the simplicity of its style. Perhaps these are some of the reasons why the Eddas, *Beowulf,* and the *Odyssey* of Homer, are justly put in the front rank of the world's greatest poetry. Here also may lie the explanation of the fact that some simple folk songs justly occupy a place superior to the elaborate compositions of famed artists.

The Eddic poetry naturally falls into two divisions, the heroic and the mythological. Voluspa is the outstanding poem. By common consent it has been considered the masterpiece of the Eddas. It is not easy to conceive of a nobler or more powerful prelude, a more artistically perfect and magnificently conceived introduction, than we have to the poems which follow. In the Voluspa faith in the Asas and its essential philosophy are pictured in a few powerful stanzas. The poet steers his course high into the heavens and sweeps us with him over land and sea; he flashes before our vision the stream of events, and the inmost secrets of existence are laid bare. From her sleep of death in the tomb, Odin awakens the Vala, and to him she yields her learning and her wisdom in the hearing of his subordinate and associate deities. She tells of the origin of the world, and of the changes which took place when Odin and his brothers appeared upon the scene and the work of creation commenced. Then arose a period of golden splendor, bright and beautiful in unbroken peace. The world was filled with quiet and happiness until the coming of the maids from the home of the wicked giants introduced strife and homicides into the universal concord. The gods themselves shed blood and broke faith. Innocence was banished, happiness disappeared, as perfection had fled from the Garden of Eden when Eve became guilty of the "first disobedience." The very air was surcharged with cunning.

Such is the condition when the Vala is summoned from her grave. She hesitates a moment, and then comes, like the voice of death itself, the reiterated question: "Do you know, or not?" She traces the lines of destiny and again and again there echoes the question with increasing emphasis and uncanny significance, as if to prepare and to impress her hearers concerning the fateful message which is to follow. The clouds contract gradually; the shadows deepen, and the Vala flashes before the eye a somber picture of the fate which awaits evil men on the "strand of death." Then comes, for the last time, the pregnant question, just before the prophecy is uttered. There is still opportunity to return; the curtain which hides the future has not been lifted. The trumpet sounds, and we have the essence of the message which she brought; and then the prophecy. Everything trembles in the presence of the judgment; Jotunheim resounds, and dwarfs groan in their rock-bound homes. At last the great conflict, Ragnarok, bursts, the world is ablaze, and the final struggle between good and evil has begun.

The song changes. The Vala takes another glimpse into the future, far off; now the vision is brighter, less terrible. The work of creation anew begins, and she sees the earth again, this time rising from the sea, clothed in garments of green; the sound of the waterfalls strikes upon the ear; the eagle soars majestically over the mountains; and the waters are stocked with innumerable creatures. A second and more magnificent golden age has come. In contrast with the evil persons who lived on forbidding Nastrond, she sees beautiful dwellings where good men abide. As a grand climax, the prophetess previsions indistinctly, as in a dream, the all-powerful Ruler of earth and heaven coming from the firmament, but whose name she does not mention.

Such, in brief and sketchy outline, is this extraordinary poem. The vision of Vala appears like the Northern Lights in the dark vault of heaven; the glow unconsciously penetrates and illumines every part of the mind. There is cast over the poem an almost supernatural luminosity which charms and awes. It is one of the master creations of all time.

The heroic portion of the Edda is quite fragmentary. The nature of the various conceptions is not uniform; nor are the poems of the same age or kind. Most of them are founded upon ancient tales which at one time were probably the common property of all Germanic peoples. The main body is identified with three principal families, the Volsungs, the Gjukungs, and the Niflungs, who are connected through marriage and over whom there hovers constantly a fate which no human power can withstand or avert. Odin himself is in the background of the judgment that hangs over them. He occupies the dual rôle of protecting friend and destroyer of the family. He endows the heroes with the most attractive qualities and casts over them a glamour of glory; and at the same time he is the primary cause of their sorrow and death.

In part, it is the descendant of the Volsungs, Sigurd, the slayer of the serpent, and Helgi who are concerned with the poetic story. The tale of Helgi is of Scandinavian origin and is combined with the story of the Volsungs; the account of Sigurd, on the other hand, is almost certainly of German antecedents. In the North, however, the story of Sigurd has undergone a transformation. As retold here it is proper to describe it as Scandinavian, through the introduction into the story of the theory of the Valkyrie. This principle imparts a noble and elevated aspect, which, in the judgments of some critics, puts the story of Sigurd on a higher level of excellence than the corresponding Germanic legends.

Among the characteristics of Scandinavian paganism was the belief that Odin sent the Valkyrie to every battlefield; and that they put the seal of death and of victory upon men. They were supernatural beings, goddesses of war. In the heroic poetry this idea appears in unique form. The goddess is at once the beloved of the hero and the arbiter of his fate. The conception of a maiden beloved of and loving the hero, in the earthly sense, is mingled with the idea of a goddess who becomes a directing force in the hero's fate. This ingredient in the Valkyrie's affection sublimates the relation between them; the love of the goddess is of earth, insofar as she puts on human form, but it is, at the same time, something vastly nobler than the earthly sentiment which goes by that name. The affection is pure and lofty as the heavens, exalted far above the selfish requirements of mortal happiness, so strong and lasting that it transcends the bounds of death and the grave.

According to Scandinavian philosophy the hero was under a high obligation which he keenly felt and earnestly strove to discharge. His life was consecrated to the attaining of high ideals and to objectives worthier and more altruistic than personal happiness. This aim stood out against the sky when all horizons were wiped out in death; it was intimately connected with the very essence of the pagan system, namely, the conflict between good and evil, which persisted in life and would at last consume all in a universal conflagration.

The Greeks may have thought that "love is lord of all and is in all the same," but if we may judge by their mythology, Virgil spoke of sensual love; to this sentiment the Viking poets added the pure gold of the Valkyrie's nature and imparted to it an aspect divinely impressive. This conception of love, as pictured by the poets—unparalleled in the more sensuous mythologies of so-called classical times—was more in keeping with life's ideals. It was an affection which lifted men to a higher plane, into an atmosphere of less heat and more unselfish calm; it was a kind of love the warp and woof of which is self-respect, self-discipline and self-control. No companionate slime, bottomed in the false philosophy of "right" to yield to every sensual impulse, muddied its crystal stream; it pointed to the heavens, strengthened the hero's arm, steeled his resolution, and made his courage not just "the brutal force of vulgar heroes, but the firm resolve of virtue and reason."

The Valkyrie esteemed the fame and good name of her lover more than fortune, more than life, indeed, more than the lives of both. The love of the Valkyrie is, in its essential nature, the purest and holiest affection. There are grounds at least plausible for the belief that this poetic conception of the North became the ideal of love and of poetry in the age of chivalry in later centuries and in other climes.

The triangular story of Sigurd, the Volsung, and the two women who loved him, Gudrun and Brynhild, illustrates the principle of and also presents a striking contrast to this sordid geometric design as it is commonly drawn against the background of domestic life. The love of the former was that of the wife, as genuine and pure as earthly love can be; that of the latter was the affection of the Valkyrie, lofty, noble, and powerful beyond the measure of mortal sentiment. Beautiful as was the devotion of husband and wife, there is no doubt that in the mind of the poet the love between Sigurd and Brynhild had the strongest claim upon their destiny. Foredoomed to disappointment in life, it became the agency of death for both.

There is a contrast between the sorrow of Gudrun, the wife, and of Brynhild, the Valkyrie, which further illustrates this poetical idea. Gudrun weeps bitterly after the fashion of mortals who lament their dead; but the sorrow of Brynhild is above the plaint of tears. She does not hesitate; she knows what she must do. She gives up her life without a murmur or a sigh. Their fates, she knows, were entwined from the beginning; as Sigurdrifa, she had awakened him to life; as Brynhild she consecrates him in death. The decree of fate, which neither can control, has been satisfied. She it was who infused into him the spirit of heroism and brought him to a realization of the high character of his mission. His fate and hers mingle in a common stream which, in turn, loses itself in a common eternity.

The Scandinavians of this period esteemed the art of poetry as the noblest gift of the gods to men. Odin himself spoke in verse, and his son, Bragi, was revered and worshiped as the god of poetry. In the Edda it is said of him that he is "wise; he is endowed with skill in the use of words; and he knows most of poetry." We see here the qualities which were deemed essential in the poet of the first rank. He must have good natural gifts; and he must have discerning intelligence. All these are comprehended in the word, "wise." Yet more was necessary. With wisdom must be power of speech, the gift of clothing thoughts and images in tasteful and attractive garments.

Ability to write poetry is ranked with the rarest of gifts. The distinguished poet, Egil Skallagrimsson, calls it gift "without fault." The consideration shown the Icelandic poets by kings and princes in other lands is strong proof of the high position of the poetic art. A man, though he may have been unknown and without friends, if he had this gift, and some poems to recite, was received everywhere with courtesy and distinction. It was the one universal passport to the royal courts of the North. The poets were not only cordially received, but lavish presents were bestowed upon them; indeed, it was beneath the dignity of kings to let them depart without substantial rewards. Many a modern versifier may be tempted to lament, with Milton, that he was born too late, but let him reflect with comfort upon the fact that in those days the life of a mediocre poet, like that of the wicked, was sometimes cut short.

The court poets were especially honored by the kings. In some respects they occupied a higher position at the court than most other men; they sat in a seat of honor in the royal hall; and they were, on occasion, entrusted with important foreign missions. Harald the Fairhaired, ambitious and warlike sovereign that he was, esteemed his poets above all his courtiers and assigned them the high-seat. The poets, at the court of Olaf, the Swedish king, were regularly required to attend the royal presence because of their bold and interesting verses. The men were popular with the entire court, as well as with the sovereign, because they entertained the assemblage and were ever prepared to discharge a lively stanza into the midst of dull or commonplace conversation. Dignitaries tolerated sharp words from them, and they were often blunt and plain spoken in the presence of kings. The Sagas mention incidents where poets were spokesmen before the king, in matters of public or common concern. One is reminded of the position of the court jesters of old England, but only because they are, as often as not, the cleverest characters in Shakespeare's plays, for of them it might be said, without extravagance, that they are the wisest fools in Christendom.

Other reasons than love of art explain the royal tolerance and the royal favor. Upon the wings of poetry the kingly fame was carried from land to land. The ballads recited the achievements of princes, sang their praises, and introduced their names in quarters where otherwise they would have been unknown.

One poem, famous in the literature of Scandinavia, originated under dramatic circumstances. It was composed by Egil Skallagrimsson in one night, while a prisoner, with an unsheathed sword hanging over his head.

This poem is one of the most stirring songs ever composed in any language. Every cord is strained to the utmost; there is a crackling in every phrase. One can almost hear the clash of arms and the roar of battle in every line. It is no wonder that the next day, when the poet recited the stanzas to the king and his assembled court, his royal highness restored the poet his liberty and revoked the sentence of death, notwithstanding the author was his greatest enemy; but then he was also the first poet of the North. Egil, with characteristic humor, described the pardon as a gift of his own "ugly head." Ugly it may have been, but from his mind came some of the most rugged and powerful verses ever written in a Scandinavian tongue.

We have reached the place where poetry and story-telling meet. The poets were at once the repositories of songs and the historians of their times. Usually the subject of poetry was current events. The poet accompanied his chief on his crusade or in battle, sometimes fighting side by side with him; and then—if he came out alive—he commemorated the events in a poem. Much Northern history was thus preserved. The guarantee of trustworthiness lies in the fact that the poems were recited in the presence of a multitude of men who had taken part in or witnessed the events described. Errors or gross exaggerations would not have been tolerated. One reason for requiring the poets to accompany the chiefs was that they might see and more clearly describe the events which happened. When Olaf the Swede formed his armies at Stiklastad he set up a rampart of shields and summoned his poets, telling them to remain within, saying: "You shall be here and see what is about to happen; you will see for yourselves, and you shall relate and compose poetry about it later."

From the latter part of the tenth century forward the gift of poetry appears to have been largely the property of the Icelanders. From then on the court poets, one after another, are of Icelandic birth. In some instances the gift seems to have run in families from generation to generation.

The subject-matter of poetry was neither complex nor diverse. The themes were mostly historical or contemporary. True lyric poetry was seldom composed. Of course, there is a play of feeling and imagination in isolated stanzas or in fragments of poems, but the contrary appears to have been the rule. Sometimes there occur fine descriptions of nature, but such are usually incidental to some historical subject which is "the central, unifying and illuminating" theme. Love, the age-old favorite, was seldom, if ever, the principal subject among the Icelandic poets. It is only in an occasional stanza, composed to an individual of the fair sex, or about women, that the sentiment of love finds poetic expression.

Sorrow is frequently a leading subject in the old Icelandic poetry. Most conspicuous in this class is a poem by Egil Skallagrimsson. In this masterpiece sorrow is the theme. Every line, almost every clause, throbs with the intense and passionate grief over the loss of his sons. It is a marvelous production, suggesting, by contrast rather than similarity, Tennyson's "In Memoriam." The bereaved father is left alone, like an old and weather-beaten oak, bowed and almost broken in the whirlwind of the storm. As the poem progresses the spirit of courage and independence gradually recovers its normal position of supremacy until, at the end, the poet rises in the majesty of power, which no adversity can awe, and no grief overwhelm, and hurls defiance at the gods. It ends on a note of manly self-reliance, in keeping with the finest traditions of Viking courage and of Viking individualism.

The state which grew up in Iceland following the settlement period resulted in customs and institutions fundamentally different from those found in other parts of Europe, particularly under feudalism in France and England. Enough has been said to show that the settlers and their descendants were distinctly individualists. Obviously, it was impossible for the institution of feudalism to take root or thrive in a soil so impregnated with the sentiment of personal liberty. Certain physiographical features precluded the rise of cities or urban centers. The power of the Godis was substantial, but it was dependent upon the voluntary allegiance of individuals and rested entirely in customary law. The popular taste for social intercourse and for exchange of ideas was not to be thwarted by the fortuitous circumstances of geography or isolation. The Thing, especially the Althing, and foreign travel contributed liberally to the foundation upon which grew the great structure of the Saga and the custom of Saga telling.

There was virtually no music or dancing, and almost nothing which can be described as drama during the period of the Commonwealth. The recitation of verses and the telling of stories were the leading, if not the only, diversion, aside from athletic games and feats of skill and strength. The subject-matter of poetry and Saga was the achievements of families and of individuals, the prowess of certain Vikings, and the adventures which they experienced in foreign lands and in distant seas. The early and finest type of the Saga is indicative of the fact that the people of that date, although they had strong religious feelings, preferred the truth to the frankly fictional or mythological account.

From the custom of itinerant story-telling where tales were repeated in one home after another, it resulted that the narratives grew in volume until they involved whole groups, families, and the histories of certain sections, with details of names and incidents reaching back to the days of the settlement. The Saga originated as a historical recital of events in the lives of persons who had actually lived. The Saga, therefore, constitutes the one reliable source of the history of the island, of the names of the leading men of the period of settlement and afterwards, even of leading events in other countries, of the customs, social and political, and of the system of legal procedure during the Commonwealth. If the Sagas had not been told and later reduced to writing, this period in Northern history would have been darkly and forbiddingly barren.

For generations before the Saga was reduced to writing in manuscript form it had been told again and again from memory. As time passed and one generation took the place of another, the characters and incidents multiplied. It thus comes to pass that some of the finest Sagas are written as they were spoken and possess none of the stilted or labored style of the story which is spun out of the imagination of the author and written by him. The style is simple and direct; the sentences are remarkably short and clear; and the words are chosen for their simplicity and their fitness to convey an idea in the briefest and clearest compass. Seldom is the thread of the narrative interfered with to indulge in descriptions of natural scenery, nor are passages interspersed containing the comment of the author upon any aspect of that which he is telling.

The Saga has many serious defects when measured by the accepted standards of modern fiction. Today's criteria are not a correct measure of its merits; it must be judged from the standpoint of one who is listening to a tale rather than of one who is reading a book. As indicated before, the story is written as it had been told during many generations. The real authors of the tale have a purpose different from that of the writer of the modern story. They were concerned with keeping active the interest of a listener rather than of a reader.

High authorities have distinguished the so-called heroic age or the Saga Age in Iceland, from about 890 to about 1030, from the succeeding period which marks the growth of the Saga and which sometimes is called the story-telling age. During the second period the Saga was gradually taking the form in which later centuries found it in the manuscripts. Then comes the third period when they were reduced to writing, which really follows Ari, the Learned, who is the founder of the literary school which wrote the Sagas.

No consideration of the Sagas can be complete in any sense without some reference to the great historian Ari, who lived from 1067 to 1148. He was called the Learned and was a descendant of a royal family. Some of his ancestors were born in Ireland, although they died in Iceland. On his mother's side he traced his family to Sidu-Hall to whom also three great Icelandic historians have traced their descent. We know more of his childhood than of his adult life. He was a Godi, and by 1118, was mentioned among the chiefs of the island. Snorri says that Ari was the first man in Iceland who wrote, in the Old Norse or Old Scandinavian language, histories relating to ancient and modern times. Ari is the author of Landnamabok, that is, the book of settlement; Islendingabok, or the book of the Icelanders, and he is also said to be the author of Konungabok, or the book of the kings. Up to this time it seems there were only Sagas, that is, oral narrations, whereas, after his time we begin to hear of "books."

The Greater Sagas are to be distinguished from the earlier historical-biographical material, such as we find in Landnamabok, Islendingabok and Konungabok. The former are more romantic than the latter. The greatest of these is the story of Burnt Njal, composed between 1230 and 1280, but by whom no one knows. In no other Saga do we find so clear a picture of the Icelandic legal system in actual operation as in Njalssaga. It enjoys the unique distinction in the world's literature of successfully commingling law and narration without detriment to either. Egilssaga—the hero or leading character is the great poet Egill Skallagrimsson—is a stirring story of adventure; Laxdæla is the Saga of romance, *par excellence,* and, as said by Edmund Gosse, is "extremely beautiful in its relation to external nature, a matter often ignored in the Sagas"; and Eyrbyggia Saga is a political story. In this group of the Greater Sagas must be included that of Grettir the Strong (Grettissaga), although there is absent from this tale the harmony which characterizes the others. Here the mythical and the historical intermingle with resulting confusion in thought and form.

The Lesser Sagas are interesting and valuable as material upon social customs, laws and manners. The briefest mention must suffice. In Gislasaga we meet the blue devils of outlawry—really a story of the "lifer" whose prison is all outdoors; Bandamannasaga deals humorously with society in a certain part of Iceland in the eleventh century and the manner in which the old families dealt with the social problem sometimes presented by the *nouveau riche;* Kormakssaga, says Vigfusson, is primitive in style and content, a very ancient tale; and one of the most charming love stories of that age is Gunnlaugssaga Ormstungu. There are others, such as Vatnsdæla, Hensathorirssaga, both ancient; Floamannasaga and Fostbrædra Saga, both dealing with Greenland and Vineland, describing settlements and shipwrecks in connection with each.

Nearly all of this literature, save the first—that of Ari—and the last—that of Sturla Thordarsson (1215-1284)—is anonymous. Edmund Gosse is conservative when he says that "these unknown men deserve a place of honor among the best narrative writers who have ever lived." It has been the will of providence, for some obscure reason of her own, to say to endless generations of admirers of some of the marvelous productions of the human mind, "Read and enjoy, if you have the intelligence, but the authorship, that is my secret."

This is not a dissertation upon or a critical examination of the Icelandic literature of this period. Nor can it more than barely advert to the great advantage the authors of the Sagas had over contemporaries in the possession of a vehicle of expression superbly fitted for concise, vivid and clear narration. For example, in Njala a clause of three words pictures certain characteristics of Gunnar which the great Monarch of English letters described in the famous lines:

> "Those friends thou hast and their adoption tried,
> Grapple them to thy soul with hoops of steel;

> But do not dull thy palm with entertainment
> Of each new-hatch'd, unfledged comrade."

Vinvandr og vinfastr tell us that this gentleman—in the best sense of that overworked word—was very particular as to whom he accepted as friends, but once having admitted a person to the rôle of friendship Gunnar did not desert him for light or transient reasons. The Icelandic language has, at all times, possessed abundant wealth of root and stem to grow easily with the material, intellectual and moral advance of the people. Even the most recent discoveries and inventions are designated by words built from the inner resources of the language itself without the necessity of raiding the catacombs of dead tongues.

In closing this brief sketch concerning the source material of the preceding chapters, the writer ventures to include two specimens of character delineation, involving men of fundamentally different, though in some respects similar, temperaments, taken from the greatest of all the Sagas, that of Njala.

The outstanding figure in the story of Njala—a character known to cultivated readers in most countries—is thus introduced:

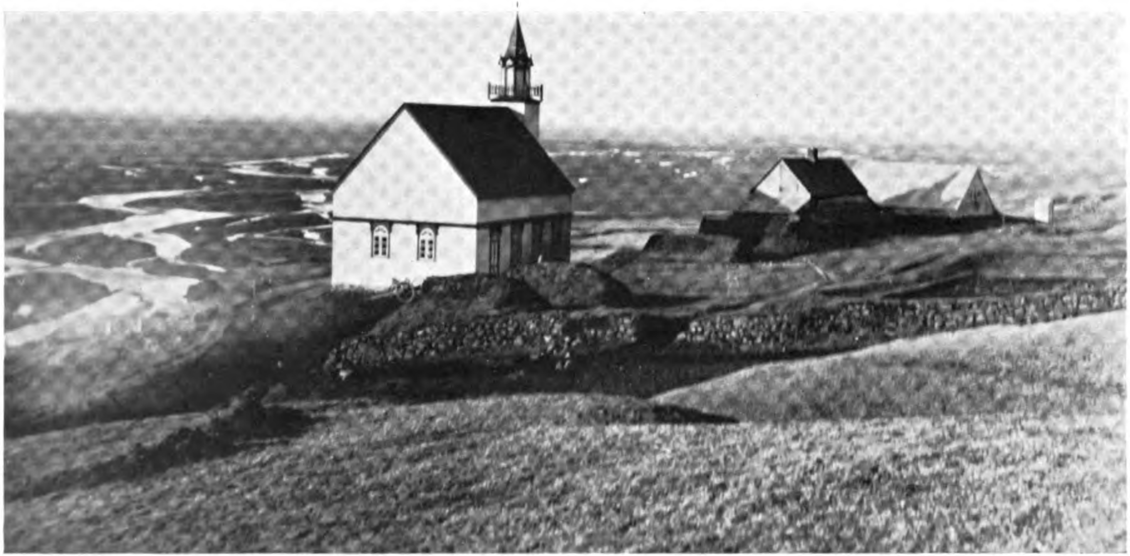
> "There was a man named Njal. He was wealthy and of fine presence. No hair grew on his face. He was wise, a peerless lawyer and had the gift of prophecy. He was sagacious in counsel, kindly, high-minded, modest, gentle, and endowed with a long memory. He solved the problems of all who came to consult him."

Again, the portrait of another man, but of different type, from the same Saga arrests attention. In Gunnar of Leith-End we have a classical type of hero, minus every form of moral lapse, whose fate brings heavy sadness to the reader who suffers himself to enter into the spirit of the story. When the author ushers him upon the stage he sketches his character in a few lines, and yet so clear is the delineation that Gunnar stands out, like a mountain peak above the foot-hills.

"There was a man named Gunnar, great in stature, who surpassed all in feats of arms. Ambidexterous in the use of sword and spear, he could wield the former so swiftly that three weapons seemed to flash at once. His aim with bow and arrow was unerring and beyond the skill of others. He could vault, without the use of a pole, and in full armor, the equivalent of his own height, and jump as far backwards as forwards. He swam like a seal and in no athletic game could anyone successfully compete with him. It was said that in his time he had no equal. He was handsome, with a fair complexion and rosy cheeks. His nose was straight, slightly upturned, his eyes were blue and keen, and his hair yellow and well kept. He excelled most men in politeness and courtesy. He was a stout man in all things, kindly, tolerant, self-controlled, and quiet, steadfast in friendship, but discriminating in the choice of friends."

In this masterpiece of the story-teller's art over six hundred individuals are mentioned by name, and scores of these are active characters in the tale. Descriptions of other figures in the story are not so detailed, but the author is so superbly skillful in the use of words that a phrase or a clause imprints a distinct picture of the hero, or the rascal, on our minds. We follow Njal and Gunnar to the end, then turn back to the word portrait of the introduction and marvel at its fidelity to the life each hero actually lived through scene after scene of triumph and tragedy.

Njal was an anachronism, but only in the sense in which all truly great figures in history have been such.



Leithend; the Home of Gunnar, a Heroic Figure in the Story of Burnt Njal

He was a man of peace in an era of strife, a firm believer in the law and in the efficacy of its processes to settle differences between men. The life of this extraordinary man is a silent but scathing indictment of the commonplace and timidly "regular" soul who dares not lift his head above the passing crowd and inhale the free and purer air of unfrequented altitudes. Fearless, dignified, serenely confident in the light of clear moral perceptions and powerful intelligence, he held in check the fierce spirits of his own sons and of his countrymen, compelling them, again and again, to lay aside tradition and adjust their disputes without resort to savage violence.

Although Njal never shed blood, yet was he a hero to his own and later generations. That warlike people respected and loved a man whose only fear was fear of doing wrong. Few characters, in the whole range of literature, stand out in such bold contrast against the background of their age, and are yet a part of it, as does Njal of Njal's Saga. Part of his age? Yes; for, although he would never permit revenge for homicides to be taken in the traditional mode of an eye for an eye and a tooth for a tooth, he refused to leave his burning home, when his enemies generously offered him life and safety, because he had grown too old to avenge the impending cowardly murder of his own sons. He chose rather to perish with them in the flames.

After the year 1000 the Icelanders were virtually alone among the people of the North, so far as we know, who gave serious attention to the writing of history. Of course, the Sagas and history are closely related. The writing of chronicles, it seems, in this period thrived only on Icelandic soil. The reciting of poetry and of historical tales is among the oldest and the most popular pastimes of the

Icelandic people. At feasts, at meetings of all kinds, and at the Things, variety was introduced by reciting poetry and telling stories. The entertainer told not only of his own life, not only from contemporary and earlier times, domestic and foreign, but if he was a poet he recited his own poems and those of others.

Many learned Icelanders devoted their talents for story-telling to recording the history of Norway. In the first rank of these stands Snorri Sturlason, the author of *Heimskringla*. This work is a history of Norway down to 1177, the author having died in 1241 at the age of sixty-three years. He was also a poet and a critical scholar. Of him as a historian the German authority, Eugene Mogk has said: "His characters live in speech and action before the reader's eyes, and in dramatic sense he excels even Thucydides." He was the author of the *Younger Edda* in which he gives a brilliant analysis of the ancient poetic art of Scandinavia, with a comprehensive statement of the essentials of the old mythology. A nephew, Sturla Thordarsson, worthily maintained the literary fame of the family in writing Islendinga Saga, a history of Iceland in the turbulent thirteenth century.

Enough has been said, although in mere outline, to suggest why the ancient poems and Sagas have exercised, and still exercise, great influence in Iceland. It is easy to appreciate their significance to the Icelandic people; to them, perhaps more than to other Scandinavians, they carry a powerful appeal. They have a right, not yet successfully challenged, to claim the poetry as their own. It seems certain that it was they whose genius wove incidents together in song and Saga and made them live again in a thousand halls under the weird glow of the Northern Lights; and it was they who preserved them for their own descendants and for the world.

CHAPTER X

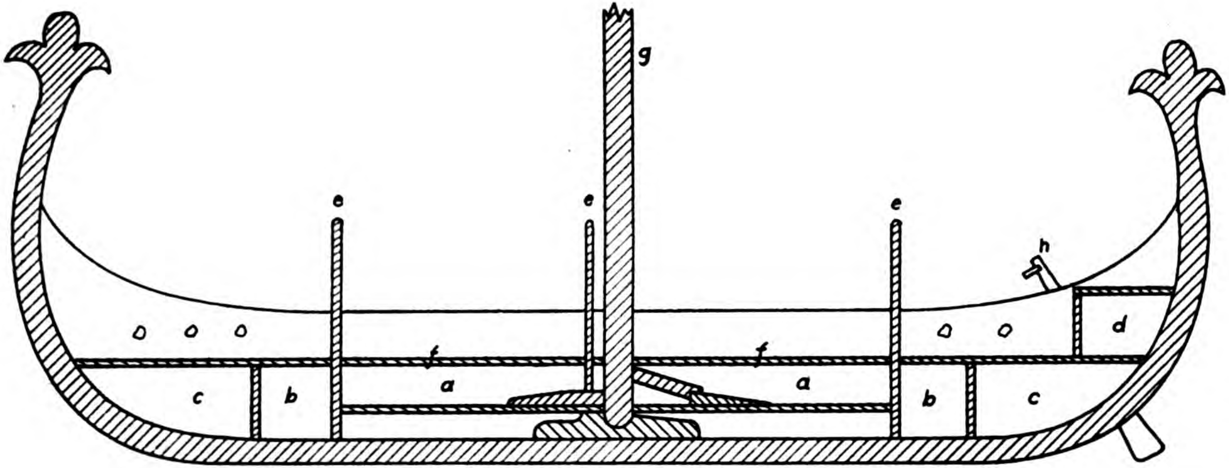
Commerce and Navigation

FROM the earliest times Scandinavians were capable seamen and delighted in ocean travel. The sons of Icelandic chieftains, even some Norwegian kings, often took part in or led maritime expeditions. Sometimes men went upon a trading venture and a Viking enterprise in alternate years. They followed the coast lines or struck out across the open water, carrying the products of their own country to be exchanged for commodities in other lands. These undertakings were necessarily conducted indiscriminately by individuals, for the reason that no merchant class had as yet appeared. While usually profitable, they always contained a sufficient admixture of romance and adventure to make up for any loss from the commercial standpoint.

Shortly after the discovery of Iceland the settlers established commercial relations with several places in Norway. Of these trading points Skiringssalr was the oldest. It was situated on the southern coast of Norway near the mouth of Oslo Fjord. During the latter part of the ninth century another such place came into existence called Tunsberg, which is still known by that name. The result was that the former disappeared and Tunsberg developed into a thriving business center. It happened to be the home of an uncle of Harald the Fairhaired. From this point commercial relations with Denmark and Germany were established. In the eleventh century Bergen and in the twelfth Stavanger grew up on the southwest coast of Norway. Late in the tenth century Nidaros, founded by Olaf Tryggvason, appeared. Here this Christian but warlike monarch built a church and a royal residence. It became a Mecca of pilgrims, suffered the martyrdom of fires and of war, and then became Trondhjem, today a city of over 40,000. In 1017, Sarpborg, a few miles south of the present capital, appeared under the protection of Olaf the Saint; and about the middle of the eleventh century Oslo had become a trading center. Later, the name was changed to Christiania which it bore as the capital of Norway, until recently when it retrieved its ancient and historic name. All these places were well known to Icelandic traders during the period of settlement and in later centuries.

The vessels most commonly used in a transoceanic venture were mere play boats in comparison with the gigantic freighters and ocean liners of today. Men skilled in sea craft have estimated that they were about forty-ton ships, approximately 50 feet long and 16 or 17 feet wide. Ordinarily each boat carried from twenty to thirty men. They were clinker-built, with a gunwale rising towards the stern and prow, and lowest or nearest the water line at the middle. There were decks fore and aft and a cabin at the stern.

The mid-section of the ship was open and there the cargo was loaded; it was without a deck, save for a floor or bottom, and there was a narrow passageway or plank walk on each side, connecting the decks fore and aft. The cargo in the middle of the vessel was usually protected by a covering of hides. The vessel was one-masted and had but one square sail; the mast moved in a track or groove in the keel of the ship and could be lowered and laid flat. On merchant vessels the mast was probably not lowered


g
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SHIP

a a	Places where cargo was kept.	*e e e*	Uprights.
b b	Bailing rooms.	*f f*	Walk between decks.
c c	Decks.	*g*	Mast.
d	Cabin.	*h*	Rudder.

except when the ship was in harbor. The rigging consisted of ropes attached to the masthead. There was a hole in the masthead through which the rope played, the sail being fastened to the rope. Cords controlled the sail in such a way that it was possible to regulate it in accordance with the wind. The sail was usually made of the staple, wadmal.

Every vessel carried a pier or gang plank to enable people to embark and debark dry shod. This pier was made of large timbers with steps. At a time when harbor facilities were inadequate or wholly absent some such utility was essential. A boat was carried on every ship. It was customary to cover the vessel, at least while in harbor. There were pillars for this purpose, sometimes elaborately carved, which, when erected on each gunwale, resembled the supports of a roof. A ridge pole having been laid lengthwise, the covering was thrown over it, thus affording protection against sun, rain, and wind. The men on the vessels slept under tent-like covers, or below the decks in leather or skin clothes; but the owners of the expedition lived in the cabin. That was apparently the nearest approach to social distinctions on shipboard.

In every vessel there were two rooms, called bailing rooms, fore and aft of the cargo. Here the water was bailed if a vessel leaked. Originally pails were used and arranged in such a way that when one came up the other went down. This work was regarded as strenuous and disagreeable. Later, pumping methods were so developed as to relieve from this drudgery. Ships were usually rendered waterproof by the use of tar, and sometimes they were painted above the water line and variously decorated; some ornamentation was of carved wood. One vessel, which traded in England, is described as having been elaborately decorated down to the water line; even the sail experienced a touch of ornamental art.

The boats were used primarily in mercantile expeditions, but occasionally also in Viking undertakings. The true Viking ship was differently constructed; it was longer and narrower, and lower in the gunwale, with a deck extending the full length of the vessel. It was equipped with several pairs of oars, and shields were arranged on both sides about the middle of the vessel. Otherwise, the plan of construction of a Viking ship was very similar to that of a merchant vessel.

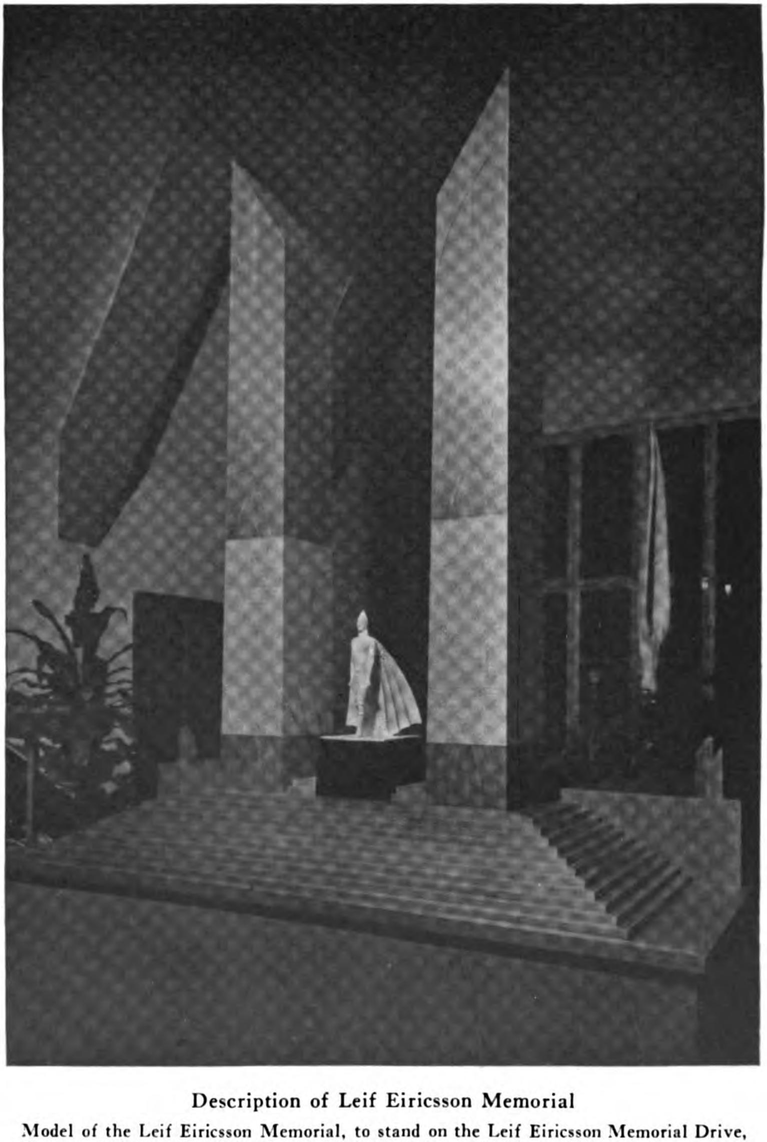
A good ship was greatly prized, and was regarded as the most munificent of gifts. Its value was approximately that of a good Icelandic homestead. The Sagas mention instances where kings and princes presented well-known Icelanders with vessels, sometimes even including a cargo. In an age when gratitude was considered one of the hallmarks of nobility and virtue, such generosity was never forgotten. King Harald gave Ingimund the Old a beautiful vessel; and Earl Hakon presented another Icelander a ship highly ornamented and completely equipped. It was one of the fastest-sailing vessels of the day.

Of the speed of sailing craft we have little direct, but some rather dependable inferential knowledge. It was reckoned that the voyage from Cape Stadt on the west coast of Norway, to Cape Horn, on the east coast of Iceland, a distance of about five hundred and sixty miles, would require seven days, a speed of approximately eighty miles per day. In the Saga of Olaf the Saint one Thorarinn Nefjolfsson sailed from Norway to Iceland, a distance of seven hundred and fifty miles, in eight days. At ninety-four miles per day, this voyage was regarded as an unusual feat.

Without map or compass, these intrepid seamen laid their course by the stars. It is remarkable how easily sailors found they way from one harbor to another, and their success bespeaks a close and intelligent observation of the stars. Certain men had the reputation of never missing the objective; they held their course directly to their destinations, over long stretches of intervening water.

A vessel owner who had planned a voyage, whether for a fixed or an indefinite destination, never experienced any difficulty in obtaining the necessary crew. The Scandinavians were not afraid of the sea or the myriad creatures it contained. This naturally brings to mind the trouble Columbus had to get together a crew for his voyage when he re-discovered America. These old Vikings, however, were not handicapped like Columbus. When the latter endeavored to enlist a seaman he had to break down a barrier of prejudice and fear which current superstition had erected, like an unscalable wall, around the intelligence of the common man. He had learned to believe the most fearful things concerning the sea and its denizens. With a mind impregnated with "scientific" error, or with crass superstition, the individual whom Columbus sought to interest in his daring venture recoiled from the proposal with more enthusiasm than from incarnate sin itself. The spur of ambition absent, with no real faith strong enough to beat off the demons of ignorance and scientific nonsense, the sailor of Columbus' day saw nothing attractive in the bold Captain's scheme. The success of the expedition in spite of these most difficult of all obstacles—unreasoning dread—adds to the glory of its immortal leader.

Leif Eiricsson had no such impalpable foes. To the Scandinavians a voyage was merely another adventure. The winds might blow, and monsters might show their



Description of Leif Eiricsson Memorial

Model of the Leif Eiricsson Memorial, to stand on the Leif Eiricsson Memorial Drive, Chicago, Illinois. By Oskar J. W. Hansen, Sculptor, Chicago. Eiricsson was born in Iceland where he lived until he was sixteen years of age.

This work has been pronounced by the Architectural Commission for the Chicago World's Fair (1933) among the most important designs produced for a monument in modern times. The structure is ninety-two feet high. Behind the main bautas is a semi-circle of seven smaller stones in the manner of a *hof* (sanctuary). Reliefs and inscriptions appear on the stately shafts. (See opposite page 244.)

menacing heads, but all to no purpose, for the sailor's faith in his own strength and in the power of his tutelary gods was stronger than his fear of intangible or imaginary enemies. He was still a free human being, the master of his environment, confident of his power to deal with any emergency. And if he failed and death claimed him, what did it matter? He had earned a place in Valhalla and the privilege to fight on the side of the gods.

It may well be doubted if two more striking illustrations of the concrete effect of error and of the imagination upon human conduct can be found than the cases of Leif Eiricsson and Christopher Columbus in search of a crew. The latter, manfully struggling in the blinding swirl of myriad fears and in spite of the aid of unconditional mandates from the sovereigns of Spain to magistrates on the Andalusian coast to press into the service of Columbus both ships and crews, was almost driven to despair in the hunt for men who would share the hardships with him; the former merely let his purpose be known and the problem was at once solved. The Icelanders had traveled much; their intellectual horizons had been expanded; and their minds had been liberated under the influence of social intercourse and education. They moved with the confidence which true liberty engenders, strangers alike to fear of men, of devils, or of gods. The religion of the Europe of Christopher Columbus had made a bond slave of the mind; the pagan faith of the countrymen of Leif Eiricsson left men the real sovereigns of their own souls.

The more prominent of the pioneer settlers of Iceland owned the vessels in which they came. Consequently, there were many ships available for commercial use, and the sons followed in the footsteps of the fathers, plying commerce with other countries for their own needs, as well as for those of other settlers. The Icelanders carried their own supplies in Icelandic bottoms from other countries; if foreign trading vessels came it was so seldom as to be negligible in the early years.

It was not long after the first settlement that foreign ships from various points to the south and from Norway began to bring goods to the island. Foreign commerce was carried on mostly with the people of the Scandinavian countries, often called Westmen. Persons who plied trade between countries were described as merchants or sailing men and sometimes by other names. In time there grew up a separate class of merchants who adopted rules and regulations for their business, according to the general custom and experience in the Middle Ages.

It was thought that a mercantile expedition afforded an opportunity to a young man which was desirable from every standpoint. There was only one other undertaking which might have been considered in a more favorable light, and that was a Viking cruise. It is said in one of the Sagas that the former ventures were undertaken for improvement rather than for valor. This characterization suggests the relative standing in popular esteem of the trader and the Viking.

Merchants who owned vessels engaged in foreign commerce were usually in personal command and were called steersmen, or mates. Sometimes two men owned a vessel in partnership and divided the avails of the venture. The other men on the expedition might own an interest in the business and be partners in the undertaking among themselves. The latter were described as messmates.

The relation among the partners and messmates was very close and somewhat peculiar. The ancient law points to the conclusion that the status carried with it some of the rights and obligations of blood relationship, or affinity. For example, if a foreigner died in the service and had no relative in Iceland, his partner became his heir. If he had no partner, his messmate became his heir, and if his messmates were numerous, then the one who most often had been his messmate inherited. If he had neither a partner nor a messmate as far as food was concerned, the steersman himself inherited his estate. Similarly, these persons, in the order named, were proper parties to initiate and conduct legal proceedings in case this foreigner had been killed by another man.

While on the expedition the fare was entirely dry food, already prepared, because no equipment for making fire was carried on sailing vessels. When ships lay in a harbor food was prepared on land. Originally vessel owners or merchants did not have cooks, but messmates agreed between themselves who should be responsible for the food from day to day, and prepare the meals. A large kettle, or vessel, held in common, was a part of the equipment of the ship; and the owners, or mates, charged a fee for the use of the utensils. Later, cooks were regularly employed. The men had a common right to drink the liquor on board the vessel, and a covered container stood near the mast in which it was stored. Sometimes liquor was in larger vats from which a smaller one at the mast was replenished from time to time.

When a vessel entered harbor it was obligatory upon the proprietors of the ship to pay the riparian owner a harbor toll, for the latter owned the land down to the water's edge. The fee was not large. It consisted of an ell of wadmal, some wool sufficient to make six reels of yarn, or the pelt of a lamb. Norwegian vessel owners were not required to pay this duty. There was a certain reciprocity between Norway and Iceland in some matters. Icelanders enjoyed privileges in Norway not accorded merchants from other countries. Immediately upon putting into harbor, the gang plank, or portable pier, was put out and the cargo carried off the ship. The owners and the crew sometimes erected tents or booths in which they lived.

It was customary for the Godis to be among the first to visit the harbor after the arrival of a vessel, to inspect the cargo, fix the price, and to claim certain privileges as to purchase. It was not considered wise to have any dealings with these merchants until the claims of the Godis had been satisfied. Originally, they had no legal right to the claims they advanced, but the Sagas show that they successfully arrogated to themselves privileges which they claimed for their official positions. The merchants acquiesced in these extra-legal assessments rather than get into controversies with the local chiefs, the outcome of which would almost certainly be unfavorable.

The exaction was in the nature of baksheesh, a tip unearned, but if it was not paid these local dignitaries, like certain hotel servants today, had it in their power to make life decidedly miserable for the merchant. In one instance a merchant rebelled and refused to comply; but the Godi retaliated by forbidding anyone to trade with him. Although the order was beyond his authority, the threat of the chief was at least partly successful, for the merchant was faced with a condition which almost forced him to abandon his stores and his vessel. In later years a committee was constituted to perform this service and from the practice grew the custom of fixing prices, which persisted for centuries in Iceland. No one could purchase at or charge a price different than that fixed by the committee; this work had to be completed within two weeks after the ship had put into harbor.

The commodities most frequently brought to the island from abroad were wood, corn, or certain kinds of grain, probably malt, tar, iron, copper kettles, weapons, ornaments, cloths, dress goods, and liquors of various kinds. After the Godi, or the committee, had finished their task, the work of retailing commenced, and yeomen came from far and near to trade. The ancient law provided that no yeoman should remain more than three consecutive nights with his horses at a trading place.

When the cargo had been disposed of the vessel was docked; that is, it was hauled out of the water by means of chains and supported by earth and rock piled up on each side. The owners had the right to the services of such yeomen as were under duty to pay the Thing tax and their hired help to pull out the ship; but the herder of the sheep was excepted. He must not be disturbed. If help was refused a fine might be imposed. If a man pulled with all his might three times on the chain when the owners were prepared, he had fulfilled his legal duty and could not be fined. Many took part in docking a vessel, the women sometimes helping. Ship masters paid the riparian owner nine ells for the privilege of docking; but the riparian owner, on the other hand, stored the rigging free.

When the cargo had been sold and the ship duly docked for the season, the men looked for a place to spend the winter. The owners usually wintered with the chiefs, while the others found places with the ordinary yeomen in the vicinity. These boarders became close followers of those with whom they lived and sometimes joined them in adventures of attack or reprisal. If anything remained of the cargo they disposed of it during the winter, locally, or in distant places. Sales were, more often than not, on credit, and it was important to deal with reliable persons and to obtain the best terms. Sometimes individuals assumed responsibility for the goods and then resold to others, while they themselves remained obligated to the merchants. The purchase price was paid in merchandise, wool, lambskins, skins, ropes, woven cloth, butter, tallow, and the like.

When spring opened the merchants collected the goods and wares which they had received in exchange for their commodities and transferred them to the vessel. It took a long time to prepare and load the ship. During this operation the owners lived in their booths near the seacoast. It was deemed unwise to load a ship so that more than three parts were under and two above the water's edge, the measurement being made on the middle of the vessel. When all preparations had been duly made the merchants took advantage of the first favorable wind and departed.

Merchants from the Scandinavian countries were well received in Iceland, and their dealings with the people were usually upon cordial and friendly terms. There were, of course, exceptions in the case of individuals whose temperamental or dispositional defects made them irritating customers. As a general rule, however, they were invited to the homes of the better people, and if they had established a reputation for generosity and liberality, were asked again and again. The strongest friendships between the merchants and the native yeomen were formed, and the former sometimes rewarded their hosts with valuable gifts.

Traders were desirable company for very good reasons. They had traveled widely and could tell of many entertaining experiences. The Icelanders were always interested in foreign countries and welcomed to their homes anyone who had something to tell of other lands. These visits had a powerful influence in encouraging interest in travel and a desire to visit abroad. It is very common in the Sagas to find statements that this or that young man had had an ambition from early youth to travel, and to win for himself such glory as was supposed to be the lot of those who were received favorably by foreign potentates. It resulted often that the adult sons of the men with whom the visiting merchants made their homes accompanied the latter on their expeditions.

Most of those who traveled abroad went from mixed motives. They hoped to win a fortune on a Viking expedition, or the favor, with possible fortune, of some foreign prince. Usually the wares which the young travelers took with them were sufficient for the passage and for their maintenance abroad. Of course, some went for purely business reasons, although there may have been other motives underlying. Sometimes they purchased an interest in a vessel and became partners in the enterprise. Thus the merchandise they took with them became the capital as well as their maintenance. Then, as they acquired experience and fortune, fame and acquaintance, they branched out and launched undertakings of their own, following the business many years. Names of individuals are mentioned who were notably successful in foreign commerce. When we consider the difficulties under which expeditions were conducted, it is surprising that in the age of settlement and during the Saga period, there should have been listed at least sixty men of such prominence in foreign trade that a record was made of the fact.

Historians sometimes underestimate the extent to which intercourse has been maintained among nations notwithstanding they may have been separated by an ocean, or large bodies of water. In the Saga period Iceland was not an isolated country in any save the geographical sense. The sea was not a barrier; it was merely an obstacle and, hence, a standing challenge to the responsive and leaping spirit of adventure. The people maintained uninterrupted contacts with parts of Scandinavia and other European countries.

No statistics are available as to the number of sailing craft at any particular time plying trade, but we have fugitive bits of evidence suggesting that there were many. During the year 985, when Eric the Red undertook the colonization of Greenland, twenty-five vessels left two points on the island for Greenland. Towards the end of the eleventh century, that is, about the year 1097, it appears that there were at least three hundred Icelanders living at Nidaros, the Trondhjem of today, one of the commercial centers on the coast of Norway.

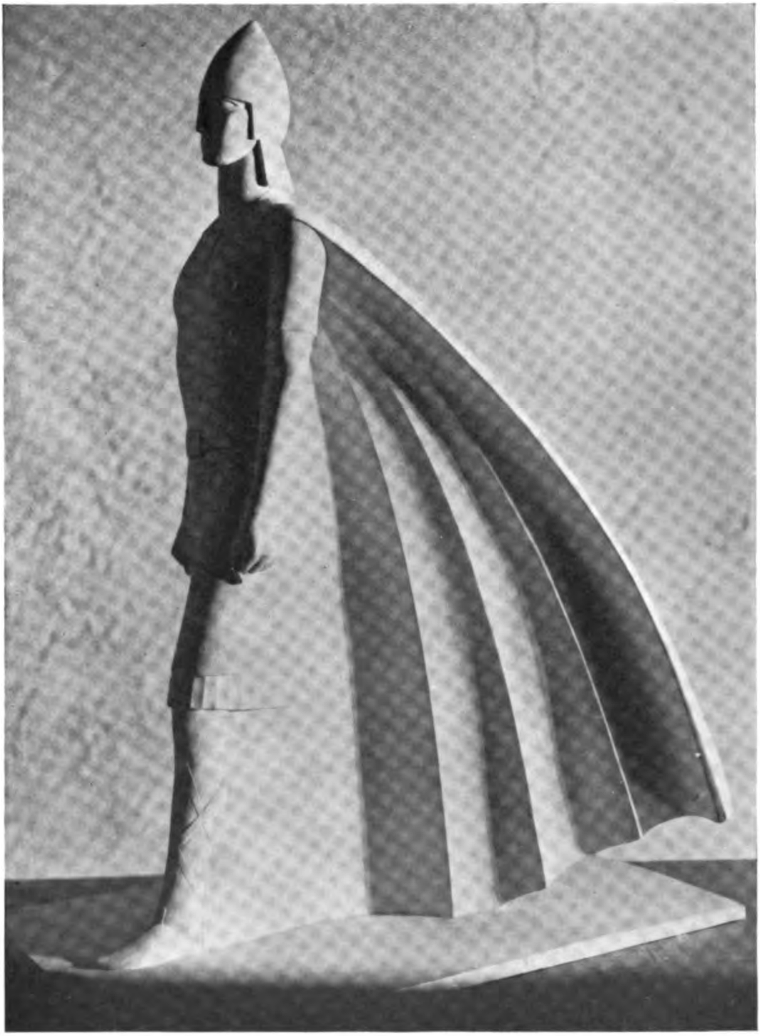
It throws an illuminating light upon the character of these Scandinavians that while the ambition to go abroad and engage in business was common, yet, very few, if any, made it their career. Only for a comparatively short time do we find the same men following the sea. The lure of the wide waters lost its power as middle age drew near, and the love of home and family, the companionship of friends and neighbors, the desire to become a commanding figure in the life of the state, all united to break the spell. The ultimate goal of every healthy, normal Icelander was to settle down on a homestead in Iceland, establish himself in the community, and raise his family in such dignity as became one of his station. His travels abroad were incidents, means to a definite end. They might bring wealth; at any rate, they would bring prestige, perhaps glory; and they satisfied the desire to learn of and keep in touch with the outside world.

The experience in foreign countries was a treasury on which the Icelander ever afterwards drew drafts of anecdote and illustration which made him the center of social groups and put upon him the seal of a certain superiority he dearly loved. He was in a position somewhat similar or analogous to that of the college graduate many years ago—before college education became common, in at least one sense of the term—whose advantage conferred on him a distinct local prestige. No young man of spirit and of good family was satisfied to settle down without first going abroad. It was a part, perhaps the major part, of the education of youth without which he would have been dissatisfied and, in a measure, ill fitted for the community responsibility which he hoped would become his. The educative influence of these travels cannot be doubted. It broadened the outlook; it made men more tolerant; it put them in contact with other countries and taught them to profit by their experience. Foreign travel and foreign contacts were their schools and their universities; and no man was deemed fully qualified to join the ranks of the substantial yeomen of the age until he had traveled. This national ideal had a civilizing and a liberalizing effect upon the entire population.

Historians have, on occasion, admired the boldness of the ancient Scandinavian seamen, their energy and their fortitude. Even Archibald B. Scott, historian of the Pictish Nation, who writes with no bias in their favor, says that the Vikings were the best sailors of their time. It would not be generally regarded as an attractive proposal today to organize an expedition, sailing in boats of the kind they used, over hundreds of miles of the North Atlantic, without map or compass to guide the sailor. The fact that these ancient mariners sailed their vessels on all seas suggests that man has probably always been able to get along happily and passably well with that which he had. It is not possessions, but the capacity to enjoy them, to control and dominate environment, that brings happiness. Improvements in ships now make ocean travel a luxury; it is easier; it is less hazardous; and possibly it is more tempting to the common run of persons. Yet, it may be doubted if the globe trotters of 1930 get more genuine pleasure or more real zest from their travels than did these Icelanders of old.

It was not just that they embarked upon known seas with definite destinations; they rejoiced in the unknown waters, for behind the horizon there might lie undiscovered countries, new peoples, and soul-stirring adventures. They discovered and colonized Greenland, as is well known; they discovered America and then made several trips back and forth, without anything to guide save the oral accounts of those who had preceded them. They undertook to explore the new country of Vinland, or America, although, of course, nothing came of it. They took with them livestock which was turned loose in the wilderness to propagate themselves, but with what results no one now can tell. They failed at successful American colonization, but not from want of enterprise or courage. They fought and defeated the Indians in battle and left their own dead as consecrating testimonials to their adventurous spirit.

The discovery of America by the Icelanders was made too early; the discoverers lived in circumstances too propitious and happy. There was no need of a new country where liberty might be transplanted to thrive in the



This figure of Leif Eiricsson, 17 feet high stands between the bautas (menhirs) of the Memorial. The Memorial itself, when complete, will be 92 feet in height. (See opposite page 234.)

free sunshine, away from the rough hand or the trampling foot of tyranny. The Icelanders had established a Republic of their own, where the individual was wholly free; they had fled from absolutism in Norway under Harald, to a new and unsettled island, resolved that hardship under freedom was to be preferred to ease and submission to arbitrary power. There was literally nothing to draw them to the new world from their own free country, Iceland. They were a happy and contented people.

Five hundred years later when Columbus made his great exploration and discovery he went forth from a wholly different environment. Conditions in the Old World were moving towards that state of restlessness and discontent which a little more than one hundred years later led to the first permanent white settlement in the Western Hemisphere. The existence of a new continent afforded the opportunity for escape of which the oppressed peoples of the Old World readily took advantage. The mariner's astrolabe, used by Columbus, made sailing the high seas less of a guess-work than it had been in the days of Leif Eiricsson and the Vikings. The world in which Eiricsson moved was not ready for another adventure in pioneering.

Aside from the difference in results there are interesting parallels in the careers of these illustrious explorers. Each was a hardy, courageous and persistent individual; each received encouragement from a sovereign deeply interested in the spread of Christianity; and each was a devout adherent of the Holy Church of Rome. Had the genius and propensity to organize and join not been born at a much later date we should probably have had a flourishing order under the name of the K. L. E.—Knights of Leif Eiricsson.

CHAPTER XI

Servants and Slaves

ALTHOUGH the powerful landed proprietors of feudalism were unknown in Iceland, large household establishments were the rule. A few instances come to mind. One man is mentioned who had, on the average, eighty freemen in his service. The father of the poet Egil had never less than sixty capable men; another, Gudmund the Rich, had about one hundred and twenty; and others are said to have had thirty. When personal frays and homicides had occurred, or were anticipated, the number was even larger.

Homemen *(heimamenn)* was a generic term used to describe all persons who were legally domiciled at a particular home, whether employed or not. On the other hand, persons employed were called *Hjon,* or servants, and the men particularly *Huskarlar,* or housemen, akin to the Anglo-Saxon *ceorl,* and sometimes they were described simply as workmen. The regular "flit," or moving time, was during the seventh week of summer; four days were allowed. Every man was required by law to have a legal domicile on, or before, the last day, and for failure in this regard he might be outlawed, a law not too rigorously enforced. Commonly, the servants were engaged in the fall, although single men might go from place to place in search of employment. Sometimes traveling workmen were not of the highest type, often being escaped misdemeanants, or persons who had broken contracts of employment. They were open to engagements as spies, or for other purposes of doubtful propriety or honesty. There was no real shortage of labor at any time during the period of the Commonwealth.

The common practice was to enter employment for the year, in consideration of a stipulated payment, or wage. In the old law there are detailed provisions concerning employment and wages, which are not clear in all respects. Some refer to later times. The law fixed the compensation of the several classes of employees, and it was unlawful to pay a different scale.

The duties of the employment were likewise prescribed with minuteness; and certain duties about the home called for specific treatment in the law, both as to kind of work and the compensation. The cowherd received a certain wage, the shepherd another; and the steward was awarded by law a definite stipend per ten men in the household. Carpenters, bridge builders and men who built booths at the Althing were privileged to work by the day in the haying season. It appears that this class of skilled laborers was favored as compared with others. They performed a specialized and highly necessary service, which may account for the discrimination in their behalf.

There was an elaborate scheme of division of labor in the home, especially in the larger establishments. The contract of employment defined the nature of the work as well as fixing the wage. It was the duty of a certain man to bring the food supplies to the home; in the winter time he might be employed in taking care of the sheep or the stock; another might be employed to build a wall within a stated time. One looked after the cattle; another took care of the cows; others tended the sheep; still others did the carpenter work, and so on. On reading the Sagas one is impressed with the fact that these householders were organizers of ability and that there was little waste motion in carrying on the business of the largest ménage.

As has been shown, laborers were classified according to their occupations. If a yeoman had more than one establishment, a foreman—a yeoman—was in charge; even the home place might be operated under the direction of such a person. With the foreman was also a forewoman. The foreman on the home place was usually called superintendent, suggesting the fact that the owner himself was in more direct control. A woman so employed was mistress *(matselja)* of the home place. The position of this type of employee was responsible and independent. The superintendent or foreman was general overseer of the workers, and worked with them; and he was expected to make sure that tools and equipment were kept in repair. A skilled carpenter was deemed especially fitted for this position. Relatives and impecunious connections were often engaged as foremen, as were also individuals who had been brought up on the place. Loyalty and dependability were regarded as essential virtues in the superintendent.

The mistress presided over the pantry and the cooking, apportioned the food and served it. Sometimes the wife herself did this work; and she, as a rule, supervised the housework in this as well as in other particulars. Where the family establishment was large a steward was employed. It was his duty to have provisions on hand at all times, to oversee the butchering operations, supervise the larder and provision house, and to allot the food for each meal. Perhaps more often than not the duties of steward and superintendent were performed by the same person.

A carpenter or capable mechanic was really an essential on every estate of any pretensions. He enjoyed high standing. All carpenter work was done in Iceland by native labor. Of course, there were casual employments in the field, but in the larger homes the carpenter was a permanent member of the regular staff. Men occasionally employed for this kind of work were paid a daily wage.

The care of livestock required the full time of many persons, and was considered of the utmost importance. Shepherds, tenders of cattle, and goatherds were a numerous class. A good sheep man was one who rose early in the morning and gave undivided attention to his task. Here loyalty to the master was at a high premium, for the tender of the flocks could render invaluable service to his employer as a spy on enemies, real or potential, and as a courier bringing reports of the movements of other men in and about the neighborhood. The position of herder, however, though important, was not considered desirable; there were certain social drawbacks and disadvantages. Frequent switches and exchanges were made. One man might look after the flock in spring and summer, while another had this duty in winter.

Care of the barns was regarded as a menial task, scarcely suitable for freeborn persons. As time passed, this necessary labor somehow lost its malodorous character, and the barnman's social standing improved. Milking was also rather low in the scale of employments, and freeborn persons had no relish for this task.

Men regularly employed at fixed wages were freeborn, and if they were killed full compensation was exacted. It was the duty of the employer, both in law and in morals, to protect his servants against violence and to look after their interests to the end that no unjust advantage be taken of them. This was done even when they had committed some wrong. Of the operations of this principle there are many illustrations in the Sagas.

Servants were often young, capable and energetic men, sons of yeomen forced to seek employment because of economic necessity. They were independent, objected to tasks of a menial nature, and left the employment rather than submit to treatment which they regarded unbecoming a gentleman. They were sometimes dismissed from the service for obstreperous conduct, or for other cause. On the whole, however, the relations between master and servant were pleasant and amicable. The servants dined with their masters, enjoyed equal rights with them in many ways, and contended with them spiritedly whenever they had a mind to do so. The position of the free-born worker was not hard, and he could easily overcome such obstacles as his condition laid in his path.

Mobility was a striking characteristic of Icelandic labor during the Commonwealth; the ambition and the opportunity to graduate from a wage worker into a better and more independent position distinguish this period and its institutions. There was none of that dull, jointless rigidity which makes some modern European labor seem like a dead, at least wholly inert, body lying hopelessly but contentedly in the little rut into which it chanced to be born.

Reference has been made to the fact that slavery of a sort existed during the Settlement Age. Most of the pioneers, certainly all of any consequence, brought slaves from their old homes in Norway, Ireland, and Scotland. They were a very useful part of the establishment, especially in the beginning, as there was a dearth of labor, and draft animals were not at first available. One settler, we are told, had no oxen, but ten slaves, brought from Ireland, pulled his plow in the spring when he was preparing the ground for the planting of barley. While little is said about the farm problem in this age, there are intimations that such farming as there was was done under great difficulties. One can believe it. Ten Irishmen at the wrong end of a plow would not be likely to contribute much joy to the pursuit of agriculture at any time or place in the world's history.

The origin of the slaves brought by the first settlers from Norway is unknown. Individuals are mentioned whose slaves came from Ireland and Scotland, many of the latter having been men of rank in their native country. One wealthy settler had four establishments in different parts of the island, three of which were entirely in the care of slaves, one slave superintendent having fourteen of these involuntary servants under his control. Another Icelander had a large number of slaves captured on Viking expeditions in Ireland, six of whom are named. That these Irishmen failed to graduate into first class policemen was doubtless due to the fact that there was no police force. Another had been on a Viking expedition in Scotland and brought back a number of prisoners who were held as slaves. During the early part of the Saga period there is reason to believe that the people of Iceland augmented their labor supply through the acquisition of slaves abroad, either through force or by purchase. The story is told of one distinguished man who had purchased a slave woman who turned out to be a princess of Irish blood. One Irish slave, named in a Saga, was the cause of a great deal of trouble and bloodshed. Slaves are mentioned so frequently that we may safely conclude that they were a usual part of nearly every home. The number customarily held by a family cannot be ascertained, except by inference. Mention is made of individuals who were considered merely good and substantial yeomen, who had as many as eighteen slaves. Rich yeomen and chieftains held many more.

Of slaves who did not come from the British Isles little is known. The external appearance of a slave seldom left doubt as to his true character. He was usually dark skinned and dark haired. The Icelanders of this age, and for a long time thereafter, had a distinct prejudice against dark hair and the complexion or coloring of the skin natural to Southern peoples. Such a complexion and such hair were deemed blemishes, among the women comparable in odium to the fleshy calves or bow legs of the modern girl, who, nevertheless, with hopeful courage, insists on keeping both these social errors prominently in view. Descriptions of slaves in some of the poetry of the period are extremely unflattering. Wrinkled skin on the hands, knotty joints, crooked and fleshy fingers; a forbidding countenance, bent back and long heels, such are the repulsive particulars in the picture of a slave.

Even worse was the opinion of their mental and moral qualities. In many respects their true character, in popular estimation, corresponded to the detailed and unattractive account of their physical features. They had a reputation for mean and skulking cowardice, and it was the common opinion that their intelligence was of a low order. Of course, it is possible that a few individuals gave an unjust character to the class; indeed, it is not only probable but it seems almost certain that such was the fact and that the involuntary servants thus described were a distinctly inferior grade of slaves. Yet, certain phrases linger, the meaning of which suggest that this opinion was very general.

The Icelandic word for slave has a much more comprehensive connotation than the English word, and its implications are of a disagreeable and distinctly unfavorable character. From this word, *thraell,* another term was created, *thraelmenska,* which should logically correspond somewhat, but does not, to the English word "slavish." The derivative from the Icelandic word for slave has a different and much broader meaning. It describes qualities of mind and character which were universally detested, and to charge a person with possessing the attributes which the word implied, was to put upon him a stigma of the most odious kind. There is also the old proverb, "It is ill to have a slave as an only friend."

The Sagas contain many illustrations which show that the slaves were cowards, and as cruel as they were cowardly. In an affray, even of the less serious kind, slaves took to their heels and ran in such terror as to inspire the contempt of all who knew them. Such cowardice was so utterly foreign to the Scandinavian character that a few instances of this kind would be sufficient to create a powerful impression. Yet, it is probably unfair to regard the entire class of slaves in this light, for, as we have seen and as will presently appear, there were many noble and able men among them who had come from a more comfortable environment in Ireland and Scotland.

Persons who possessed characteristics so foreign to those most highly esteemed by the prevailing opinion could not but be held in contempt. In point of fact, slaves were scarcely accounted human. It was not considered worth while to kill a slave in revenge, and when fire was applied to a family home women and slaves were always permitted to leave the building. To be killed by a slave was highly disgraceful to the deceased and his family. Slaves were assigned to the meanest, most disagreeable and filthiest tasks, such as digging, cleaning barns, and the like. They wore the cheapest and coarsest kind of clothes, and they slept on a straw bed without bedding, except, perhaps, a sleeping garment or a rough robe, probably of fur. And when a yeoman found some task particularly mean and contemptible confronting him, a slave was assigned the job.

The treatment of slaves was a strange admixture of inhumanity and kindness. Under the law a slave was outside the pale of society, and without civil or political rights; yet he had certain legal rights superior to those of others. He had the right to slay a man who assaulted his wife, although she was a slave woman. The law gave the owner the right to kill his slave, a right, which, unfortunately, was too often exercised. Ordinary human life was cheap; that of the slave was even cheaper. Strangely the practice of flogging never existed in Iceland, although the custom was common among other nations under slavery. Nor were they tortured. Abuse or torture of this unfortunate creature was severely condemned by public opinion as not only inhuman, but unbecoming a freeman. There was here a strange and seemingly inconsistent partnership between the mild and the fierce in human character. One explanation is that death held no terrors for the Scandinavian mind; to inflict pain was cruel, but to cause death was a much less odious thing.

While illustrations abound showing that slaves were weak, cowardly and mean, and justly held in contempt by the society which debased them, there are, perhaps, as many instances which prove that they were strong, heroic, and devoted men, not the inferiors of free persons in those qualities which were especially admired in the Saga period. Slave owners are mentioned whose slaves served them with admirable loyalty and devotion, and the Saga writer gives them generous credit whenever it is due. Indeed, some masters felt themselves at sea, if something happened to deprive them of the services of certain slaves. In other instances slaves sacrificed themselves to save the master's life. As further proof of their fine qualities and the trust reposed in them by their masters, mention should again be made of the practice of consigning to their care children of tender years with the duty of virtually bringing them up. Slaves thus honored evidently enjoyed the confidence and affection of their masters beyond that accorded ordinary free born servants. Sometimes they rose to high positions of honor and responsibility, often being put in charge of the work on the home place, or in distant establishments. When we recall that many of them came from Ireland and Scotland and were men of ability and character in their old homes it is easy to account for the cases where slaves manifested commendable qualities of courage and loyalty.

The law made it possible for a slave to attain freedom in three ways; he might purchase his liberty; he could earn it through some work or task; and he might receive it as a gift. One and one-half marks of silver was the standard price of liberty, as it was also the fine for killing a slave. If by some means this amount could be accumulated, he could, of course, purchase his freedom. Obviously he had little opportunity to earn such an amount unless somebody gave it to him, or else rewarded him for some signal service. Slaves earned their freedom occasionally by performing some specified tasks for their master. This might be done in odd times when the daily work had been done; or the slave might undertake a special job, sometimes of an unsavory character. By way of illustration, we find one purchasing his freedom by agreeing to kill his master's enemy. The practice of hiring assassins evidently did not originate with the modern metropolitan gangster, although he has made it a fine art as well as a profitable business. The slave attempted the job, but, due to inferior technique, failed and was himself killed. Similar instances often occurred. Another master blandly offered freedom to his slaves if they would burn a certain family in their home.

It was not always, however, with such bloody tasks that freedom was purchased. Liberty was given for conspicuous and long continued loyalty, or for acts of courage and fortitude in difficult circumstances. Bravery in battle was sometimes rewarded with manumission. One interesting instance of liberation comes to mind. A slave by the name of Atli undertook, on his own responsibility, to receive into his master's home men who had been shipwrecked. Upon being asked by his master how he dared to do such a thing, the slave replied: "It will be remembered as long as Iceland is inhabited how great a man he must have been whose slave dared to do such a thing without his permission." His master gave him his liberty and also a home. This man became a distinguished and highly respected citizen. One suspects him of Celtic ancestry—probably from the neighborhood of a certain castle not far from Cork in Ireland. Often, likewise, prisoners of war were given their liberty, especially if they were of noble family, because it was deemed altogether inappropriate that such men should be held as slaves. In one instance many slaves were freed for this reason and given lands, most of whom afterwards became prominent and useful members of the community. After Christianity was introduced owners on their death beds liberated their slaves, in the belief that the act would be pleasing in the sight of God. Thus the "institution" gradually disappeared and the freedmen mingled with and were absorbed by the rest of the population.

CHAPTER XII

Food, Feasts and Social Life; Sports

THE Icelandic people, during the Commonwealth, lived the simple life. The bulk of food stuffs was derived from the products of domestic farm husbandry, and from the sea. The staples were meat of cattle and goats, mutton, pork, and fowl, together with milk and its by-products; and fish has always had an important place on the Icelandic menu.

It is probable that meat was a more general article of diet during this period than it is today, for cattle and other livestock were more numerous than now. While the normal season for butchering was in the fall, yeomen butchered at such times as they needed meat, for they lacked present day facilities for storing and preservation of perishable food. Fresh meat was seemingly a steady diet, without recorded indications of detrimental effect upon the health.

The meat was cooked in large kettles, the work being done both by men and women. The suet of healthy stock and some other parts of the creature were packed in the large intestine, and, when thoroughly cooked, the dish was considered a real delicacy. In Norway this article of diet was in great favor and enhanced the popularity of the Icelanders in that country. The Norwegians sometimes facetiously referred to the men from Iceland as "Suetlanders," a bit of humor which suggests the extent to which the people maintained themselves from the products of their livestock.

Meat was served boiled rather than otherwise prepared, broiled meats and steaks being unusual, except at great feasts. Smoked or cured meats were known, although there is little mention of them. It is doubtful if salt was available for the seasoning or preservation of meat, because that commodity was extremely scarce in Iceland. The meat of young horses was eaten in some places before Christianity was introduced. It is quite probable that at the pagan sacrificial ceremonies and feasts horse meat was ordinarily used. After Christianity it went out as an article of human diet and it has not been definitely proven that it was ever generally consumed among the better classes. In addition, the meat and eggs of all kinds of fowl, tame and wild, were common. A variety of chicken or grouse flourished wild; these were caught in nets and sometimes shot by devices invented by ingenious youth.

Milk, with its by-products, was everywhere a staple article of food. Fresh milk was drunk while warm, at milking time. Sometimes it was heated when served by inserting hot stones into the vessel containing the milk, a practice of which the modern method of cooling drinks by dropping pieces of ice into the liquid is but a variation. Butter and cheese were manufactured from milk. It seems that butter was not ordinarily preserved by the use of salt, but, when made faster than the daily consumption, was probably permitted to sour. Another dish, called *skyr,* was made from milk; sometimes this word has been loosely and inaccurately translated into English as "curdled milk." This article of diet is still common and, when properly made, is a very palatable food. The *skyr* was kept in large containers, was a daily ration and always on hand. Sometimes it was made so thin that it could be drunk, and differed in that respect from the kind made according to the modern method. Cheese was a daily food in ancient times and was shaped in molds of varying sizes. Sour whey was kept in large vessels and drunk to quench thirst; it was also used as a preservative of certain sea foods, meats, and the like, which were kept in the liquid during the winter. The flavor was improved by this method, and edibles thus preserved were considered wholesome and tasty.

Near the coast sea food was the principal staple, and fish was eaten both fresh and dried, but seemingly never salted, or preserved by that means. Yeomen living farther inland went during the fishing season on fish-drying expeditions, and it was common to find piles of dried fish in the storehouses of wealthy men. In the less well-to-do homes, dried fish was used as a substitute for bread, because barley, or grain, out of which bread could be made, was scarce and very costly. Seal and parts of the whale were eaten, and, when well prepared, were considered good food. Whale steak recently has been advertised in the United States as a newly discovered food. Time is relative; it was only one thousand years ago that the Icelanders knew that certain parts of the whale made a very satisfying food, and their ancestors undoubtedly had known it at least five hundred years earlier.

The old law contained strict regulations concerning the right to whales which had drifted to the island, or had been found caught in ice floes from the north. The whale has always been a bone of contention, alike in theology and economics; but it can be easily demonstrated that the Icelanders have swallowed many a whale, whereas the Jews have had great difficulty in proving their story concerning the rôle of this creature in Hebrew history. The discovery of a stranded whale was hailed as a blessing in Iceland and often averted starvation and suffering during seasons of prolonged and severe cold weather. Those who owned the carcass of the creature, according to the law, sold the edible portions to persons who came from far and near.

There were certain kinds of sea weed, or sea plants, suitable for food and the old law permitted these to be collected and eaten, even when found on the premises of another, but it was not permissible otherwise to carry food away without leave. From rivers and other waters salmon and trout were caught and through that kind of fishing the stocks of food were regularly supplemented. Fishing in the rivers was circumscribed by strict regulations. There was little or no exportation of marine products.

There were comparatively few varieties of food obtained directly from the soil. A kind of barley was raised to some extent, but to such a limited degree as to be sufficient only for the barest needs of the home. It was originally ground by pounding with stones, but later in a hand mill. The remains of a grist-mill have been found in Iceland, but it may be questioned whether these ruins go back to the period of the Commonwealth. This kind of grain, and the flour made from it, was the outstanding article of import. Due to the high cost, its use was restricted to the more prosperous and wealthy families. From the meal a species of flat bread, or loaf, was made, either on a stone or in hot embers, or coals. Malt, or beer, was brewed from the grain for drinking purposes, but this drink, again due to the scarcity of grain, was available only to the wealthy. Mead and wine were occasionally brought by the owners of vessels who had been abroad, but such liquor must have been rather uncommon during this period, being served only at great feasts or celebrations. The people of Iceland were temperate in use of food and drink. In the interest of historical accuracy it should be noted that this moderation in the use of intoxicants was due less to self-discipline than to economic circumstances.

While the principal meals were being served—there were only two a day—all the men in the family sat at a table in the dining hall, with the possible exception of slaves. Before they took their seats they washed their hands, either outside, or at a place prepared for that purpose in the hall; sometimes the women went among the men with water basins and towels, especially at feasts, or when guests were present. Then the table was set and the food was served.

The table equipment was very simple, even among the wealthy. Sometimes the food was put upon the bare table, without dishes, but probably more often than not, meat, and the products of meat, were served in dishes, or on wooden platters. On special occasions a linen table cloth was used. Neither knives nor forks were a part of the table service. Every person, both male and female, carried, attached to the belt, or about the neck, knife or dirk; otherwise the fingers did duty when most of us now use forks, for, as the old proverb has it, "Fingers were made before forks."

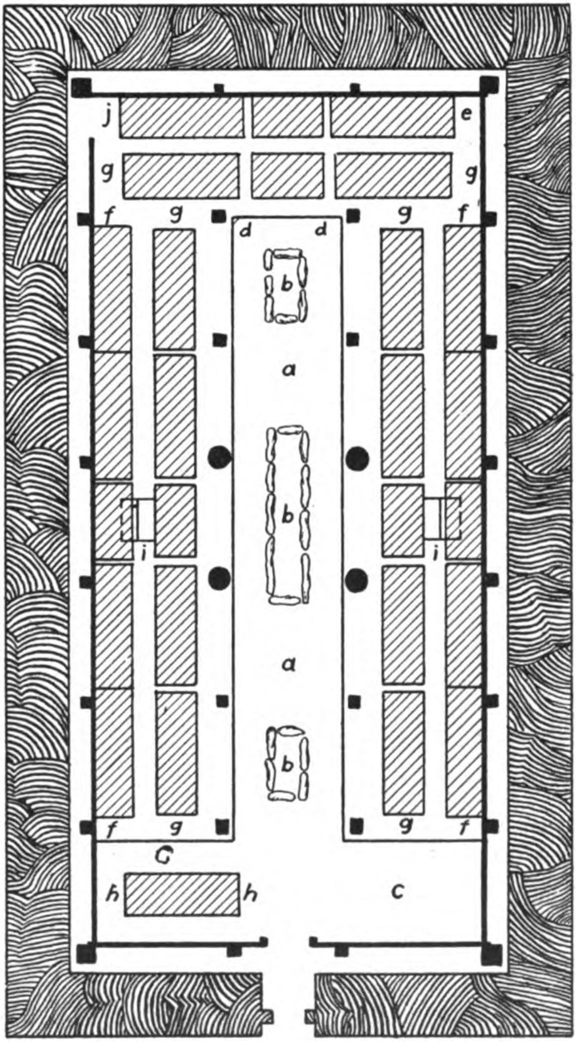
Porridge was furnished in troughs with which went wooden or horn spoons, and many were thus served out of the same bowl. Milk and some of its products were distributed in decorated bowls, or cups. Beer and ale were brought into the dining hall in a large container, or bowl, and placed on a separate table, where persons went for their drink, according to their tastes. At feasts and celebrations liquor was offered to the guests individually in horns, or in vessels having a base, and each person, in turn, drank from the horn until it was drained; it was then refilled and the process repeated. These Icelanders were as optimistic and as naïvely unaware of germs as members of some church denominations are today when they dispense communion wine to a group of persons from a common cup.

Beer was served to a very limited extent only, but when it was available in the homes of the wealthy, each guest was expected to drink according to his appetite, or his capacity, rather, because the latter was likely to be exhausted before the former; this was true, at least, at the evening meal. On such occasions and in such places men would remain at the table long after the food had been eaten. That this practice was rather uncommon in Iceland, except, perhaps, among the wealthy, is, of course, obvious from all the circumstances, some of which have been mentioned.

Social life in Iceland appears to have been pleasant and varied. Engagements, weddings, wakes, or funeral feasts —at the latter the guests sometimes numbered as high as fourteen hundred people—and the like, gave occasion for inviting neighbors and friends to spend several festive evenings. It was customary, among the better classes, to invite friends and relatives at least once during the winter to a party and social gathering at home; there was a certain reciprocity in the arrangement, and the gatherings rotated annually from place to place. It was pleasant, even without the added zest of illegality, to meet and exchange conversation over a glass of liquor. Such social events took place in the fall or during the winter and probably owe their origin to the ancient pagan sacrificial rites conducted three times a year, in the fall, in the middle of winter, and during the summer. Guests were invited a long time in advance, the invitations being extended at the Spring Things, at the Althing, or at any other place where many happened to be assembled. Disagreements and partisan strife at the Things naturally afforded an excuse or occasion for such invitations, because men considered themselves indebted to those who had given them assistance or support.

The most elaborate preparations were made; animals were slaughtered without stint, both sheep and cattle; and liquor was dispensed with a liberal hand. Hospitality has always been accounted one of the characteristics of the Icelandic people, and during this age we find ample proof that it is not a recent acquisition. No pains and no expenses were spared in making the occasions enjoyable to the guests; the quality and the lavishness of the entertainment were sometimes on a truly regal scale. As the day approached, curtains were hung in the homes, and rush or straw was spread on the floor. The long fires were kindled and the lamps lighted. The head of the house and his sons received the guests, took their outer garments and their weapons, and conducted them to their seats. The custom of thus disarming guests is one which hosts, in some parts of the United States might profitably adopt.

Visitors were seated in accordance with their relationship to the host and their standing in the community. It was highly important that no mistake be made in placing a guest in strict accordance with the claims of his position. The consequences of social errors here might be almost as disastrous as misplacing a foreign ambassador,



FLOOR PLAN OF PARLOR (STOFA)

a a	Earth floor.
b b b	Hearths (according to the Gulathings law of Norway there were three hearths in each dwelling).
c c	Dais—along the hall.
d d	Cross-dais—the high part of the floor at end of hall.
e	Cross benches.
f f	Long benches.
g g g	Tables.
h h	Serving table, where large vessel was kept and horns were filled.
i i	High-seats (two).
j	Secret door into space between lining and wall. Wall posts are designated by black squares; the high-seat posts are shown by round black spots.

a Vice-President, or a Chief Justice of the Supreme Court of the United States, because out of the blunder feuds might grow, in time finding a climax in war and death.

It was customary for the head of the house, when all the guests were seated, to stand up in his place and pledge peace and good will among those assembled, a wise precaution in an age when the dove of peace was a restless bird. After the meal, when available, liquor was served, and this was the most interesting part of the whole celebration. Indeed, these occasions are interchangeably described by the term drinking or feasting. First men drank in honor of the gods, of the saints, and of deceased relatives; then a general drinking bout might follow, two men contending to see which one could consume more liquor without going under the table. Sometimes the rule was adopted that each individual must drain the horn when it was handed him, and occasionally a penalty was imposed for failure to accomplish this feat. In the light of this custom it becomes easy to understand why Scotch hosts organized, rebelled, and drove the Norsemen out of Scotland.

It was neither a social error nor an iniquity to become intoxicated as the night advanced. In view of the rules of the game, it would have been a high testimonial to their endurance and capacity had these gentlemen been able to keep on an even keel until morning. The orgy continued for a week, sometimes for two weeks, when the chieftains and the leading men were sent home with good wishes and valuable gifts.

While the consumption of liquor was the main feature of the festivities, there were many other ways in which the guests enjoyed themselves. Animated conversations concerning the achievements and prowess of well-known men, comparisons of the ability and skill of certain individuals, with heated debates on both sides, relieved the passing hours. Sometimes each guest selected a guest whose equal he deemed himself, or someone who was absent; thereupon others answered for the competitor thus chosen. His claims to distinction were enumerated, including family connections, skill in athletics, prior achievements, and qualities of character and mind. From this resulted the fiercest discussions which sometimes led to ill feeling and feuds.

Again, vows might be taken to do deeds of skill and prowess, but these were probably more common in connection with wakes, and certain ceremonies according to the pagan practice. Sometimes men improvised poetry, recited verses, and told stories, either about others or from their own travels in foreign parts. All this contributed to the pleasure of the occasion and here, as always, the poets and story-tellers were the chief entertainers. In this respect feasts, celebrations, and social gatherings were among the most important elements in the civilization of the people.

During the long winter nights was born the art of story-telling and of popular versification. Something must be done to pass the time and lessen the tedium; there were no books, magazines or newspapers which could occupy their attention; a way must be found to prevent that utter and paralyzing stagnation of the faculties which is liable to result from isolation, inactivity, and sheer loneliness. Various games of skill were discovered and played. The evenings were shortened by a kind of comic play, satirizing the Things, the courts, and the conduct and speech of men, but never, as among the Greeks, the pagan gods.

This occasioned much merriment and there is reason to believe that the work was skillfully done.

Various indoor "skin games" were popular among the Icelanders, but they were less commercial than certain games so described in expressive American slang. They afforded vigorous exercise, were comparatively free from risk of injury, and were lawful. One of such games required five players, four in each corner of the room and a fifth in the center. A raw hide or skin was rolled into a ball and thrown from one corner to another, it being the business of the man in the center to intercept the slippery ball. If two caught it a fierce struggle ensued and the stronger recovered the prize. There was opportunity for skill and adroitness in the execution of maneuvers. The exercise was very strenuous and sometimes, when strong and spirited men played, the game became rough. A simpler game consisted of pulling a raw hide, but this was merely a test of strength.

Chess, as then played, differed radically from the amusements mentioned, being entirely a game of intellectual skill. It ranked high among the Icelandic pastimes. It was regarded as strong proof of intelligence to be a successful chess player. Chess appears to be of great antiquity among the people of Europe; Voluspa tells us that it was played among the gods. The most common type was played on a board divided into square blocks; the pieces used were of glass, stone, bone, or made from teeth; one-half were black and one-half were white. Among them was one piece, the king, about whom the game revolved; he was its central figure. The white, or light-colored, pieces attacked and the dark, or black, pieces defended. The precise nature of the game is not known. Sometimes a piece had a long tail, when it would be named a tail piece.

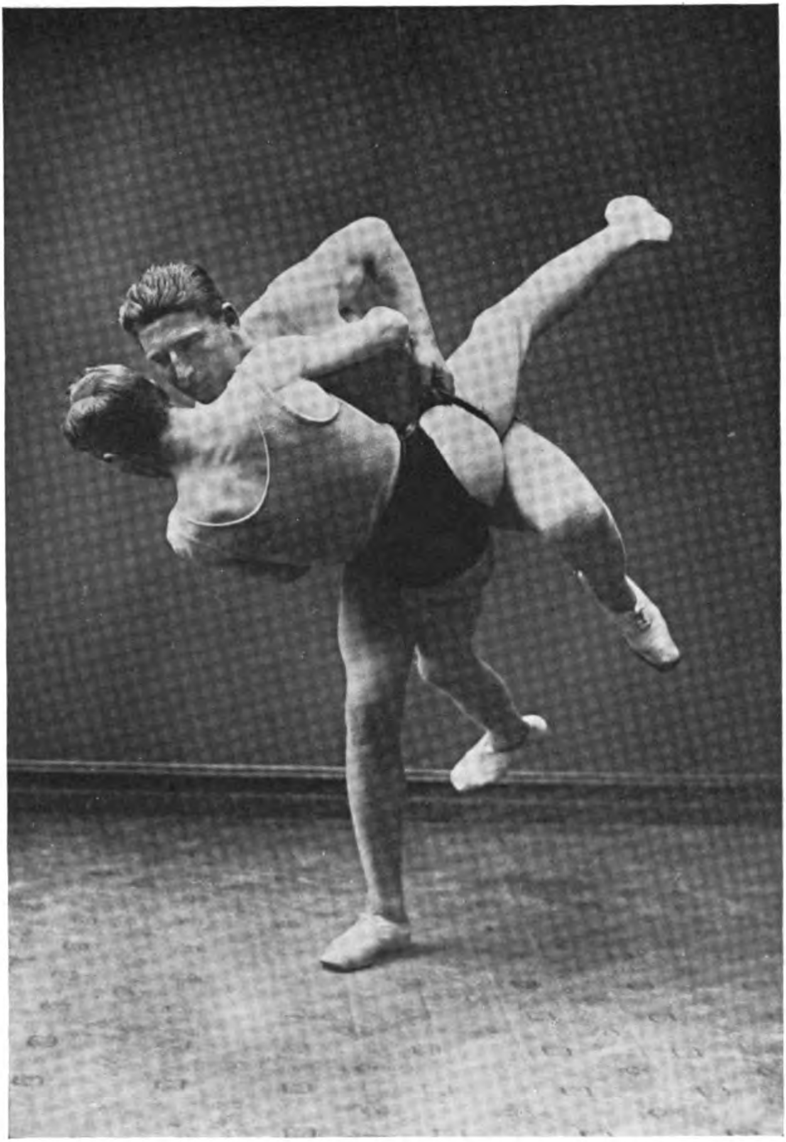
Pieces of chess have been found throughout Scandinavia in ancient burial places, which would indicate that the instruments of this game were interred with the dead, in common with other articles of great value. A set was found in some ruins in 1860, numbering twenty-four pieces, some of bone and some of teeth; half of them apparently had been red and the other half white. Some pieces were rounded on top, and some had a long sharp point. With them was found a small cube and the figure of a man in bone. The ancient pieces of chess were sometimes of costly material and were kept in bags embellished with gold rings. In the chess board was a ring, or rings, by which to hang it. Chess, as we know it today, did not become common in Iceland until the thirteenth century. The game seems to have come to the Scandinavian countries in the Middle Ages. A kind of backgammon *(kvatra)* was also played and was probably of French origin.

Athletic games and outdoor sports were and always have been popular. In fact, they were deemed an essential part in the upbringing of the young. These competitive contests were calculated to stimulate the spirit, to cultivate sociability, and to develop the capacity for social living. Such contests took place at feasts, or celebrations, at the Things, and at national gatherings. In addition, it was common for young men to organize their own tournaments of skill during the fall and winter when the seasons of work were at an end. These events were really national athletic contests, and crowds were attracted from far and near, both to take part in and to observe the games. The place selected was usually hard, level ground, or ice on rivers and bays. It seems probable that the playground was, wherever possible, in places where there was a slope from which spectators could view the contests.

When the games were entirely local they were carried on from day to day while the weather permitted, the participants going home at night. When athletic contests of some magnitude were arranged, they did not, as a rule, last more than one day, possibly two days. On such occasions the yeomen, or the sons of the yeomen who sponsored the contest entertained the visiting contestants and the visitors at their homes. To do this was considered a mark of great generosity because frequently the crowd was very large. Sometimes temporary booths were erected near the field and the visitors remained there for several days.

Of the sports most interesting to the crowd, the leading were wrestling, swimming and certain ball games. Wrestling, according to the Icelandic mode, is a national sport, the style being distinguished and essentially different from wrestling matches in any other part of the world. The so-called wrestling or tussling matches of ancient Scandinavia are, of course, the parent of the present day Icelandic *glima*. The fundamental difference between the tussles common in other Scandinavian countries and in America, and the Icelandic *glima* is that in the former the stronger man is almost certain to win, whereas in the latter the more agile and the more skillful, although not necessarily the stronger, man will be the victor.

Certain ball games were very popular. The ground chosen was a flat, hard, level plain; and sometimes the games were played on ice. An umpire supervised the



Icelandic Wrestling (Glima)

game. When the contest was between communities two umpires were chosen, and the contestants arranged themselves in groups, or sides. Otherwise, the umpire himself matched the contestants. When he made the selections he endeavored to match equals as nearly as possible and if there was present some unusually strong man, he was either excluded or was matched against two. When men of notoriously pugnacious dispositions appeared they were not permitted to take part, lest feuds or rows be precipitated.

The contestants ranged themselves opposite each other, and two and two played. The ball was probably of wood and of a size so it could be conveniently held in the hand, and there was a bat to strike it with. Back of each side or player was a line, and the object was to deliver the ball over the adversary's line. These lines, in all probability, extended across the field at each end. The game was started by one contestant throwing the ball into the air and striking it with his bat. If he failed in striking it across the line he must run and endeavor to put it over—literally making a touchdown. His opponent, on the contrary, endeavored to catch the ball and throw it back. If he failed to catch the ball, he ran after it, in competition with his adversary, and endeavored to drive it or kick it out of bounds. If he succeeded he had won the game. As may be imagined, this game sometimes became rough and occasionally injuries resulted—in that respect, not unlike the great American game of football. Of course, the game was somewhat different when more than two played it, but in what respect the records do not make clear.

Swimming was a common sport. Children were early taught to swim. This exercise was a popular pastime among the women. Young men met and engaged in swimming contests in rivers or lakes and at the Things and other gatherings. Near the hot springs were built bathing pools, the remains of which may still be seen. Men went there daily for recreation and enjoyment. From this and other evidence it has been concluded that the people of the island were particular about bodily cleanliness and observed many of the cardinal requirements of sanitary and healthful living as advocated today.

Swimming races and long distance swimming contests were seemingly not uncommon; although few are specifically mentioned. Skill in diving was ranked among the finest accomplishments. It was in this field that the warmest competitions developed. One of the famous incidents of this period is such a struggle between a popular and accomplished Icelander, Kjartan Olafsson, and King Olaf Tryggvason of Norway. This King was really the ideal hero of the Viking Age, notwithstanding he was a Christian monarch. He was deemed to have supernormal luck in battle, and in contests of skill, strength, and athletic prowess, he excelled all who competed with him.

There still remain to be mentioned the horse tournaments. The Icelanders loved horses and raised them with the greatest care. Good horses were regarded the most valuable of creatures, and of them their owners were sometimes inordinately proud. Stallions were matched in tournaments and great crowds gathered to see the battle. The descriptions of fights between wild horses in the western United States suggest that this old sport was thrilling and full of action. The contests were held at certain local Things, or social gatherings, late in the summer, although sometimes special tournaments were arranged.

Owners of stallions, supposed to be capable fighters challenged others; and sometimes there was a local Thing at which all eligible horses were brought together in a contest. The owners were then divided into groups, and each group nominated a judge. The tournaments were held on hard, level plains, and the spectators stood or sat around the field while others remained on horseback, riding on the fringe of the crowd. The stallions were led forward, and sometimes there were two, or more, pairs of contestants engaged at the same time. The horses rushed together, rose on their hind legs and bit and pawed each other with might and main. A man accompanied each horse, carrying a heavy staff with which he drove the horse and steadied him by pressing the staff on his back when he stood up against his antagonist. There were intervals of rest until the contest ended—like the brief moments of respite in the prize ring. The fight did not end until either stallion ran off the field, or was killed. Sometimes horses were so evenly matched that no decision was possible and a draw was declared. Occasionally quarrels resulted when fraud, trickery or sharp practice marred the exhibition.

Pugilistic contests, in the modern sense, were unknown. There were possibly certain economic reasons why this sport had no chance in Iceland. In the early history of this game in England the men who took part believed that the best method of training for a championship contest consisted in consuming twenty-five glasses of whiskey daily for thirty days before the bout. What quantity was deemed necessary in Ireland in like circumstances the records do not say. As has been seen, liquor was not easily obtained in Iceland during the Commonwealth, and the Icelanders would have been hopelessly handicapped in a world's championship match.

CHAPTER XIII

Children and Education

THE home is the oldest prototype of organized society; in it we find the seed of ordered political life. We have grown accustomed to regard it as the cornerstone of the social system, and as a correct mirror of the current civilization. This view may have to be revised in the light of the Russian experiment, but concerning its merits intelligent liberals are not prepared to go beyond concurring in a Scotch verdict, "unproven." The relation of the home and of its acknowledged master to the child is an important starting point in any study of human progress.

Scandinavia, during the pagan period, appears to have been no exception to the well-nigh universal practice, at one time or another, of either sanctioning by law or tolerating the exposure of infants. Except in Thebes, where it was an offense against the law, the practice of infanticide was virtually universal among the Greeks. It was supported, sometimes enjoined, by the ideal laws of Plato and Aristotle, and by the actual legislation of Lycurgus and Solon. In the case of Greece, reasons, or supposed reasons, of state were invoked to justify the outrage. The Greeks feared overpopulation; they could not think of or would not tolerate any system of birth control; and under the leadership of their philosophers and learned men, the rearing of helpless and deformed children was deemed both inexpedient and unwise.

In Rome an opposite policy prevailed. The practical

Romans encouraged the growth of population; hence, again for reasons of state rather than from motives of humanity or tenderness, the exposure of infants was discouraged by law, at least until the decadent days of the Empire. Yet, even before the Empire, exposure was legally permissible with the consent of five of the nearest relatives.

Such was the attitude among the great nations of antiquity renowned for their philosophy, their learning, their excellence in art, and the high level of their culture. The practice harks back to the time when the head of the house, or the family, had the power of life and death over the new-born babe.

That the exposing of children was practiced in Iceland to some extent before Christianity was established is unmistakably true. It was indulged with the tacit acquiescence of society, even if without the express authority of law. It had the more powerful sanction of customary law, going back for untold ages in the history of the human family. Yet, in justice, it must be pointed out that the practice seems to have been limited to the extremely poor who were encumbered with large families and saw no way to maintain their offspring. In short, it was the outgrowth of economic necessity. In the very few instances where reference is made to the atrocious custom, there is coupled with it either a condemnation or a statement that exposure was ill favored by public opinion.

The true historian seeks only to explain, not to extenuate. The age of which we speak was harsh and in some respects devoid of sentiment. There was an atmosphere of war, of destruction, and of challenge, adverse to the growth of the more tender feelings. Every form of sentiment was subordinated to the demands of courage. The weak and the incompetent, the maimed and the sick, were social impediments and there was no time or money, and but little inclination to preserve and protect them. Those who were unable to meet the struggle for life were fit only for death. The attitude is understandable, although it is inhuman. When, however, the exposure of infants was practiced and sanctioned among the wealthy, it is difficult to reconcile it with the fundamental human instinct of affection for offspring.

It is the conclusion of Icelandic and other historians that the practice received the unqualified condemnation of all men, although sporadic instances occurred on the island shortly prior to the adoption of Christianity. With the coming of Christianity, law, religion, and instinct combined to stamp it out. "The influence of Christianity in the protection of infant life, though very real, may be, and I think often has been, exaggerated," says Lecky; in Iceland, however, Christianity exercised a powerful influence in uprooting whatever vestiges of this horribly inhuman practice remained. The injunction, attributed to Barnabas, "Thou shalt not destroy the conceptions before they are brought forth; nor kill them after they are born," was a direct blow at the practice of exposure and infanticide.

Shortly after birth, the child was sprinkled with water and given a name. This was an important and significant rite, possibly a sort of dedication. If the service was performed by a person other than the father, a sacred bond was created between him and the child, somewhat after the fashion of a god-father under the Christian system. It was assumed that between the two good-will should thereafter prevail. On such occasions originally feasts or celebrations were arranged, although in the period of the

Commonwealth this custom had largely disappeared. The name given was usually that of a deceased relative, because in Scandinavia there was an old superstition which frowned upon bestowing the names of living persons upon infants. It was not alone respect for ancestors which dictated this course; it was, perhaps, as much the belief that the luck of the family would pass on with the name.

In early times the names were taken from various individual characteristics of body, of mind, of personal appearance, of weapons, spirits, battles, victories, and the like. It was common practice, under the pagan régime, to identify sons and daughters with the gods and join two names in the hope of a long and fortunate life. The child was commonly identified with the father, although, in the case of a posthumous child, or if the mother remained for long a widow, the child took her name and would be described as the son of his mother, the suffix "son" being attached to her first name. It was not unusual to give a man an agnomen suggested by traits of character, appearance, or occupation. Care was taken, however, not to address him by this unofficial appellative, because, as often as not, the new name was uncomplimentary, and an injudicious use of it might bring about an unpleasant situation.

After Christianity, baptism took the place of the ancient sprinkling with water. It seems that the pagan method was, as to externals, very similar to the Christian baptism. In the old Icelandic Christian law it is provided that the child shall be baptized forthwith after birth, if possible, and at the same time be given a name. If a priest were not available, a layman might perform the ceremony, but never the father himself, except in extreme necessity.

Little is known about the manner of bringing up children. The child was kept in a cradle and nursed by the mother, under whose care and control it was during the first few years. As soon as the child developed, various playthings were given it; some, who were child prodigies, were given playthings of a very unusual nature. Tops of various kinds, trinkets, and the like, constituted the principal equipment of the playroom, or the playground.

As the children grew older their games represented in miniature the paramount interests of their elders. The play was a sort of preparation for the career the grown child was expected to follow. The make-believe activity of childhood was the serious business which occupied the time and attention of adults; and the children played as earnestly and as roughly as their seniors played at the great game of life. There was no organized or directed play; they played when and as they wished. There is a contrast (the natural result of the development of urban centers) between the conditions under which children grew up then and under which they grow up now. Today, in America, play is supervised, and a real program of work and study is carefully planned for the child. No matter what his aptitude, if he has any—if he has none it is of no importance—or what his interests may be, he receives a standard form of instruction, according to standard methods, in a standard school room, in a building constructed according to standard plans, and by standardized teachers educated to teach by standardized methods. Our system of education is grandly scornful of the individual child, but magnificently concerned with the mass of children. Given the age of the youngster and the state in which he goes to school, it does not need the genius of an Einstein to calculate exactly what he is studying or doing at any moment of the normal school day.

There is a real advantage in this leveling system; it dispenses with the necessity of sending complicated and pestiferous questionnaires in order to discover what is going on. In this age of standardization the scheme is ideal. It tends to make mediocrity respectable by making it uniform. Under our state compulsory system and with our congested centers of population any other scheme than uniform mass instruction would probably involve a staggering and unbearable burden of public expenditures. The children of the Vikings were not so situated; there were no public schools, and there were no cities; the children followed their bent, whatever it might have been. If the boy wanted to pursue the then respectable profession of piracy, there was none to say him nay; today if he resolves to go into the less romantic but more lucrative occupation of bootlegging, the attractions are almost irresistible, and once he is in, a convention of sociologists, psychologists, psychopaths, psychiatrists, psychoanalysts, juvenile reformers, etc., will listen to a learnedly unintelligible paper on what to do with him.

It is said of King Olaf the Saint that while on a visit he and his mother strolled down to a small pond where his half-brothers were playing. Two of the boys had built large houses and storage places for grain; and there were cattle and sheep in large numbers. This was their play. A short distance away a third brother, Harald, was playing with shavings of wood which he floated on the water. The King inquired what this signified. The boy replied that they were his battleships. The King laughed and said: "It may be, son, that you will command ships." Then he inquired of another brother what he would like to have. He replied, "fields." The King said: "How many fields would you have?" The boy replied, describing a large area of land where there were many homes, all of which he wanted seeded in grain. The King then inquired of the third what he would like best to have. The boy replied, "Cows." "And how many?" asked the King. "So many," said the boy, "that when they go to drink they would fill the land around the water." The King then said: "You boys seem to want large establishments; therein you resemble your ancestors." His majesty then turned to Harald: "What most would you like to have?" "Servants," answered the boy. "And how many?" said the King. "So many," came the reply, "that in one meal they would eat all my brother's cows." The King smiled and said, "Mother, you are here raising a king." The prophecy was fulfilled, for Harald became king.

This incident illustrates how the aspirations and the aims of childhood gave character to the games the children played. They were free to follow their inclinations without restraint from their elders. This may have been all wrong, and doubtless was in important details, yet, under it there grew a race of hardy and adventurous spirits who scrupulously adhered to a definite and strict code of honor; a generation of men who deliberately set up and organized a free legislative and governmental agency, the like of which was not found elsewhere in Europe, then, or for several centuries thereafter.

The education of the youth of the Icelandic Commonwealth did not consist in campus activities, or in cramming his mind with facts; it taught him to think in terms of individualism, as the Russian school system teaches the child to motivate conduct cooperatively, by the supposed needs of masses and of groups. Russia thinks she has progressed, whereas she has merely completed a circle and is now desperately striving to keep it closed. Russia, in 1917, leaped back a few thousand years—to prehistoric communism. The illiterate patience of peasant Russia, with no background save the harsh traditions of autocracy, is an ideal field for experimenting anew with a discarded philosophy which seems to require, as a guaranty of continued existence, a cold-blooded, merciless and murderous despotism.

Under this system children developed naturally in the atmosphere of the ideals of the time. According to our lights we cannot unqualifiedly approve the atmosphere or the ideals; but is there not something to be said for a plan—or want of plan—which leaves the child free to expand its faculties, whatever they may be, so as to best qualify or fit it for the environment in which the adult must live? There was little or no conscious effort made to hinder this freedom. The motto was: "Self must lead self," and this was the cardinal principle in the upbringing of a child. A *laissez faire* scheme it may have been, but it had a natural tendency to cultivate a spirit of militant self-reliance.

There was, of course, no serious attempt to check or subdue the harsher instincts of the child. Hatred, pugnacity, the spirit of contest, developed early and without restraint. The warlike spirit, when it manifested itself in a child, was welcomed and excited commendation rather than censure. Often mothers, whose husbands had been slain in a feud, or who had been insulted, made direct appeals for revenge to their youthful sons. The response was only too ready and sometimes, under such prodding, boys of twelve committed homicides in revenge for the death of a relative or a father. All the conversation they heard, the record and achievements of the men whose names were most often spoken in praise, the glory which excited envy or stirred unqualified admiration; all had to do with war and the clash of arms. And yet, a fighter who lacked the great virtue of loyalty to the national ideal of honor and of truth was but infamously great.

From what has been said it must not be inferred that no attempt was made to cultivate the inner graces of the mind. Boys were sent away to able and learned men for instruction in those fields where the rudiments of specialized knowledge had begun to appear. Of the things of the mind on which most emphasis was placed we note first poetry, the knowledge of family history, and skill in Runes. In all these fields the Sagas testify that the Viking showed uncommon ability and skill.

Two other fields must be mentioned which have no relation to war or sports, namely, law and medicine. Knowledge and understanding of the law was emphasized as the most practically useful of the intellectual pursuits. It was studied systematically and carefully by well nigh everyone. It was utterly vain for any man to hope to take part in public affairs without a profound knowledge of both substantive and procedural law. Learning in this field was essential in daily life, for every man was really his own lawyer. There was no profession of the law, and there were no regular practitioners who could be consulted concerning the legal rights of individuals. True, the Law-speaker might be consulted, but the right in this regard was so restricted as to be of little value. It was obligatory upon every man to know his legal rights and duties, because only in this way could he avoid serious trouble.

While there was no profession of medicine, much attention was given to medical study, particularly of the treatment of wounds. The Sagas mention men who appear to have possessed superior knowledge in this field and who were sought from long distances because of their skill. The treatments were sometimes complicated, and the most serious wounds, like amputations of arms or legs, were successfully treated. Wounds were the most common occasion for consulting a medical man. There were, doubtless, diseases, but they are seldom mentioned. It is quite certain that they were not so numerous as they are today. Disease, like industry and education, has become highly complex and thoroughly specialized in our modern civilization. Youths were instructed early both in law and in the best methods of giving themselves and others emergency aid in case of injury. It was a highly practical age.

The Saga accounts point to individual instances of remarkable precocity, boys of twelve being almost fully developed. Although a program of strenuous physical exercise might have a tendency to bring about this result, we are inclined to suspect the chronicler of excessive enthusiasm. When the poet Egil was twelve years of age he was said to have been bigger and stronger than most adults, and in games his superior could scarcely be found. Similarly, many instances are mentioned of boys of twelve who were very strong, virtually grown, and capable of doing the work of much older men. The legal age was, at one time, twelve, a corroborative circumstance, not especially curious, if the numerous stories of precocious youth be accepted as true. Later, the legal age was fixed at sixteen years in Iceland. At sixteen a man was considered on his own in all things. Snorri Godi, at the age of sixteen, took charge of his inheritance and the Godord and maintained both successfully. This was true of many others mentioned in the Sagas.

When children were brought up under the parental roof each child was, at an early age, assigned to some particular person in the home to look after *(fostra,* our word *foster).* Sometimes this person was a manumitted slave who had been in the family for years and in whom there was the utmost confidence. The reader is reminded of the negro "mammy" of the old South. Such persons, it seems, occupied a peculiar position of trust in the home, superior to that of the servants. It was the duty of this foster-person to teach the boy athletic feats and the girl to work with her hands. Indeed, this individual supervised the bringing up completely. It was, accordingly, deemed important that a servant of this type be of good family, intelligent, and as well informed as possible. The same rule prevailed when a child was brought up in another family with relatives or friends, a custom not uncommon during this period in Iceland. Sometimes the duty was assigned to old and trusted servants, or tenants, or lodgers. From this custom probably grew the feeling that one who fostered a child for another was an inferior, although there are many instances where men of high dignity brought up the children of others without any resulting loss of prestige.

A child was occasionally, as too frequently has been the fact in the history of the human family, an innocent and unconscious instrument for the accomplishment of selfish and sinister purposes. Every parent was expected to and felt that he must support and assist the person who fostered his child in all controversies, whether right or wrong, as well as the child itself when it grew up. The result was that unworthy men took advantage of this situation and offered distinguished persons and chieftains to assume responsibility for the bringing up or fostering of a child. In this manner the foster-parent bound the father to support him, and the former, assured of the aid of a respectable and powerful man, felt a certain security in misbehavior. Similarly, there was the hope of reward through inheritance, or otherwise, if the child should succeed in winning a place in the affections of the foster-parent, on the one side, and the expectation of benefit from the services of the child, on the other. The practice was not uniformly advantageous to the child and was, on occasion, productive of disastrous results.

As was to be expected, the greatest affection often grew up between the foster-parent and the child, even supplanting or overshadowing the love for the natural parent. Children thus taken into a family were frequently treated as if they were sons and daughters of the foster-parents and were looked upon in this light all through life. Njal said he loved Hoskuld more than his own sons and that he would rather have lost all his boys than this beloved foster-son.

There was a strong affection among foster-children themselves, the friendship sometimes lasting until death. The well-known term foster-brothers, applied originally to children not related by blood who grew up together with a common foster-parent, and the foster-brotherhood at one time probably meant no more than the bond of friendship between persons so raised. In Iceland, however, the term foster-brothers or foster-brotherhood *(fostbraedralag)* always signified a different and more binding relationship. Men in this situation had taken an oath binding themselves to the closest association. These men are sometimes referred to as oath-brothers in Icelandic history. The relationship carried with it certain distinct rights and duties.

The duties of foster-brothers were divisible into three classes. First, they must regard each other as if they had been brothers of the blood, that is, as if bound together by the powerful bond of natural family relationship. The significance of this is striking. Family and blood relationship among the Icelandic people was the most powerful of unifying forces. A common fate, it was agreed, should be the lot of foster-brothers, and if one was killed the survivor must carry on the feud. Secondly, they must agree to hold property in common, that is, each owning one-half, if there were but two, and in proportion if there were more than two. This element was important, particularly when the foster-brothers were Vikings or merchants and ship owners. This partnership arrangement was adopted by the latter class of men without regard to the existence of a foster-brother relationship. The result was that the relation could not be terminated without the consent of both, a common term in the so-called partnership agreement of Vikings and merchants. Occasionally, it seems, a foster-brother severed the connection, but only in most extraordinary circumstances and not without real regret and distress on both sides.

Lastly, it was the duty of the survivor to avenge a foster-brother killed in battle. This was undoubtedly for a long time considered the main principle of the bond. The stipulation was taken seriously and never violated. Later, however, the obligation could be satisfied either through revenge or prosecution for the homicide in a court of law. Anciently the relation was deemed to create even stronger ties, and when one foster-brother died the other sometimes committed suicide, or had himself interred alive with the dead.

A foster-brother had the right to demand assistance from his associate, both in financial matters and in personal encounters. It seems likely that the survivor inherited from his deceased associate, in the absence of very close relatives, in the same manner as merchant partners inherited one from another. According to the Gulathing Laws in Norway, the surviving foster-brother had a right to the wergeld, or compensation paid by one who had killed his associate, and this was true, notwithstanding the legal heirs of the dead foster-brother were still alive.

There is an aspect of this foster-brotherhood which is of interest to lawyers. In some of its features the scheme suggests the germ of the modern corporation. The guilds are sometimes described as prototypes of the corporation, as it later developed under the common law, and with a good deal of truth. Antedating the guilds, however, the germ of this modern business organism lies at the heart of the foster-brotherhood, well known in Scandinavia of the earlier Viking Age. Foster-brothers, though, perhaps, more often than not limited to two or four, might, and sometimes did, contain a membership of nine persons. When such was the case one member was foreman and a sort of chairman of the whole group. The business organization of the Jomsvikings was really nothing more than a foster-brotherhood on a large scale, and yet it had some of the characteristics of a modern business corporation. The foster-brotherhood could not be dissolved without the consent of all parties, and in this regard it differed fundamentally from the partnership, while suggesting the corporation, where one member does not have the power to dissolve the association at will.

Something has been said about the place of foreign travel in the education of young men. When full development, mentally and physically, had been attained, and when a young man had learned all the athletic feats and had all training therein available, which would be at about the age of twenty, it followed, as a matter of course, that he should go abroad to seek fame, experience and knowledge. A man was considered imperfectly educated if he had not been elsewhere than in Iceland.

Travel was the graduate course in the education of the young which put the ultimate stamp of a rounded education upon the man. Such was probably the fundamental purpose of expeditions abroad, as well of the Viking as of the mercantile kind. Usually the objective was Norway, the hope being to become a member of the King's court, because the royal court, at that time, was the acknowledged center of courtesy and culture. Sometimes they went as far as Italy and Constantinople. Two or three years abroad was probably the average, although many remained longer. Some won real distinction in other countries, yet as the years came the pull of the North proved irresistible, and most of them, sooner or later, returned to Iceland. When the sons of leading men went abroad foster-brothers and friends often joined the party. The more prosperous travelers might take with them as servants the sons of lesser men, thus maintaining themselves abroad in keeping with their situation at home.

Less specific accounts are available concerning the education and upbringing of girls. It is certain, however, that they were not kept under lock and key as was almost literally true in some other countries during this period. They played games among themselves and with boys, and received education and instruction along with them, both in the art of versification and of reading the Runes. It appears that they were specially instructed in medical art, because nursing service was frequently performed by them. Women were particularly concerned with the practice of certain occult sciences, and the Sagas show that they were well informed in many matters. That they were regarded as independent and not the inferiors of men in intellectual gifts appears from the fact that the Saga writers depend upon them with as much confidence as upon men.

Girls concerned themselves mainly with domestic and household economy and various kinds of needlework. In youth they enjoyed in most things the same freedom as men. They attended the Things; they went to feasts and parties, to sports and tournaments, in common with the men; they visited the seacoast when ships arrived, and patronized the bathing places as freely as their brothers. Upon their freedom little or no restrictions were placed; like the boys and the young men, they were expected to develop self-reliance and independence of character and to be able to look after themselves. The Sagas contain many illustrations in proof of the assertion that the Icelandic women of this age were of a self-reliant character, independent and richly gifted with the intellectual qualities which today the finest ladies like to claim for their sisters. By comparison with the lot of women elsewhere in this period the position of the women in Iceland was conspicuously advantageous.

CHAPTER XIV

Property Rights of Women — A Comparison

COMPARISONS are said to be odious; yet, without a standard of values sound judgments cannot be formed. If we did not think that we knew something of heaven, and were living in an Arctic climate, a picture of the lower regions might not be wholly unattractive. A description of the condition of women in Iceland at this time becomes more definite if we put in juxtaposition with it a sketch of their situation elsewhere. The comparison is not made with an invidious purpose; the situation in other parts of Europe is set down for the same reason that we find the figure of a man in certain pictorial scenes, namely, to complete the delineation and make it more intelligible.

While the position of woman in society is some index of the quality of the civilization, it is merely a bit of circumstantial evidence which has little value when considered alone, but is helpful with other facts. In a given society the standing of women has not always steadily improved, and yet it is asserted that among the same people civilization was advancing. In the Homeric Age women seem to have been quite free; in the age of Pericles they had become virtual slaves. Still, at the latter stage of Grecian development competent opinion is not lacking to the effect that national culture had made marked progress.

Again, it is often dogmatically asserted that to Chris-

Siglufjordur

tianity belongs the major credit for the alleviation of the lot of womankind. We are naturally prejudiced in favor of the thesis, but, unfortunately, certain qualifications must be made before the claim can be admitted. When we recall what the learned Church Fathers, who shaped the destiny of and served as spokesmen for the Christian Church during the first three hundred years, said about women, we are not surprised to find that the influence of that organization was not powerfully exerted in her behalf. That the hostility of the Fathers was dictated entirely by the consciousness of man's frailty in the face of her visible charms, explains, but does not alter, the historical fact that woman was looked upon with doubt and suspicion by the founders of the early Church, or that she was, in truth, regarded as a more or less necessary evil because without her no one had discovered a successful way to perpetuate the race of good men and true.

Clement of Alexandria told her that she must keep her shawl before her face when away from home; Commodian said she must not be adorned; Tertullian frankly commanded her to obliterate or conceal her "natural grace" as being "dangerous to the glance of the beholder's eyes"—weak and easily erring man being the "beholder" who must not be tempted. Cyprian condemned all cosmetics, in fact, all artificial aids to her natural attractiveness; and Epiphanius clinches the matter by the sweeping and unconsciously humorous pronouncement that the "race of women is prone to slip and is unstable and low in their thoughts." The suspicion has gained ground, as the relations of the sexes have come under the microscopic eyes of Westermarck (not to mention autobiographical material like Franklin's, Cellini's, or

Casanova's) that when a woman "slips" there is probably a man somewhere near, very near. By subjecting certain clews, like a bastard child, to severe logical analysis, great sociological detectives, since the days of Tertullian and Cyprian, have boldly advanced the hypothesis that some man had a contributing share in the "slip." Early Christianity, even the Christianity of the Middle Ages, did not see this clearly and insist upon social and legal justice for women on even terms with the men.

Surprising as it may be, the fact remains that the women of Iceland in the settlement period enjoyed a fuller measure of social justice, closely approximating equality with men, than did their Christian sisters in other civilized countries. By this is not meant that the Founder of Christianity contemplated injustice and oppression as the proper heritage of women; but rather that the men who led the movement which He launched before His tragic death upon the cross, misinterpreted and misunderstood Him. Christianity diminished the legal privileges of the women of Rome; indeed, Sir Henry Maine says that Christian institutions are not likely to restore to women "the personal liberty conferred on them by the middle Roman law." The reclamation of these rights in recent years has been through women's own efforts. How could it be otherwise? "The sentence of God on this sex of yours lives in this age. You are the devil's gateway. You destroy God's image, Man," thundered the great Church Father Tertullian, ranging himself, and—with hideous error—the religion for which he spoke, alongside of Mohammed who said that there was "no calamity more hurtful to man than woman." With this savagely oriental attitude towards the sex there is nothing comparable in the pagan system of ancient Scandinavia or Iceland.

Among the sources of the continent, approaching the Icelandic Saga as a picture of the times, is the collection of epic chronicles embraced under the description *Chansons de Geste,* the warp and woof of the literature of France from the twelfth to the fifteenth century. The subjects of these songs are historical facts. Perhaps the earliest is the *Chanson de Roland,* dating from the earlier part of the twelfth century. Later epics, or chansons, are feudal in theme and give us an interesting and vivid picture of life during the twelfth and thirteenth centuries.

Feudalism, in its essence, was incompatible with an independent womanhood. The overlord had claims upon his tenant, including that of military service, which a woman could not conveniently or normally discharge. A girl, or widow, inheriting the land from her father must accept marriage according to the dictates of the overlord, as otherwise the latter would be deprived of the rights which justice and customary law accorded him. In the chanson, *Chamoi de Nimes,* a king says to a knight: "Soon a peer will die. I will give you his land and his wife, if you wish them."

In another chanson a woman has lost her spouse, whereupon her brother finds her another husband with the desired result that the fief passes to a man who incidentally also receives a wife. In still another chanson a father sends his son to a duke with instruction that the former demand the duke's daughter for a wife. The duke was accommodating, called his daughter, informed her that he had a husband for her, whereupon she thanked God, and the nuptials were celebrated amid universal rejoicing. Such docility among the Icelandic maidens of the better class would have been somewhat unusual. As will presently appear, they were ordinarily consulted, notwithstanding the arrangements were made by the men of the family.

Under continental feudalism a woman owned neither her body nor real property which might be given her. She could transfer her affections with a readiness which reminds us of the ladies of Homer; but she was probably, on the whole, quite content. In this same period, in the beginnings of chivalry, the lady received blows from her husband meekly and as a matter of course. In several of the chansons such incidents are recounted. The husband strikes his spouse in the face with his fist and she humbly thanks him and invites him to strike her again when his lordship has a mind to. Such was the attitude towards women of early, though, perhaps, not later, feudal chivalry and chivalrous feudalism on the European continent.

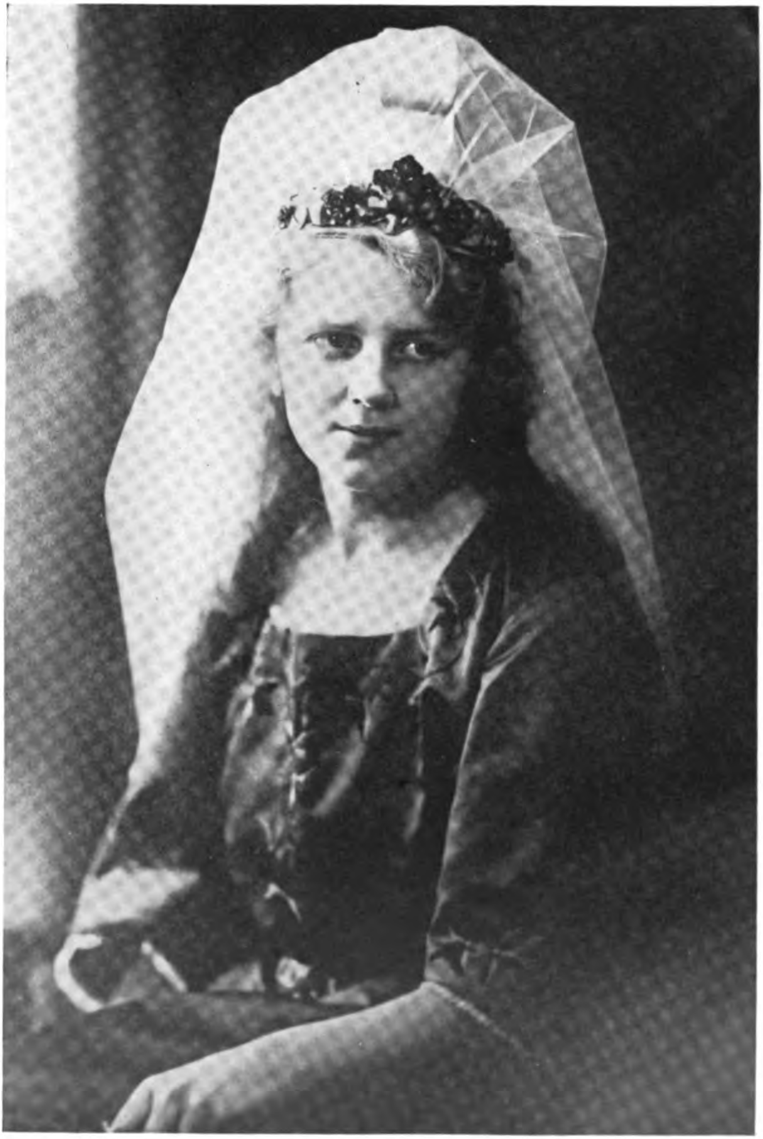
The chansons show the utter indifference of men towards women; the men, in this age of chivalry, really thought better of their steeds than of the ladies. We cannot blame the fair sex for organizing in the circumstances—a sort of League of Women Lovers, one supposes. The ladies had a Code of Love, evolved in a Court of Love, which became a feature of certain parts of Provence. The first clause in this strange code is: "Marriage is no good excuse against loving." The people of Scandinavia knew nothing of this sex modernism of France of the twelfth century. America has learned of it lately through the doctrines of Bertrand Russell and Ben Lindsay of blessed judicial, if not literary, memory, to the effect that marriage should be no impediment to indiscriminate love. It is thus obviously wrong to describe some of our social chiropractors as radicals or innovators, but it is meet to sympathize with them as rather ordinary atavistic phenomena, lacking in real, though glorying in assumed, originality.

When the status of the married woman in England of the corresponding period is considered, a fundamental difference in points of view at once obtrudes itself, a difference which has resulted in a divergent development of legal theory in Iceland and in England. The English wife could own no personal property; it all belonged to her husband, including her clothes and her ornaments, who could sell it as and when he pleased. Man and wife could not own personal property in common. The wife could make no contracts save, upon the principles of agency, for certain necessities when previously authorized or later ratified by her husband.

When an English woman married she lost all control over her real property. Her husband became a sort of guardian thereof, she having nothing to do with it while the marriage relation lasted. It is sometimes erroneously asserted that the husband *owned* the wife's real property as well as the chattels. His ownership, if ownership it can be called, was distinctly qualified; he had full and complete control of her freehold interests in land, but if he sold or conveyed them, she could recover the property from the transferee. Upon the death of the husband, the land went to the wife's heirs when the wife had previously died. If the husband resorted to a collusive legal proceeding to deprive her of her interests in the land, she was permitted to intervene, when she was separately examined in order to protect her rights. While, obviously, the husband's control over the wife's real property was much greater than in Iceland, it was by no means complete and unqualified ownership.

In justice to a system which has as often been unjustly and ignorantly as justly and intelligently criticised, one is moved to call attention to certain compensating features of the common law of England which was contemporaneous with the Icelandic Commonwealth. If the woman who married lost title to her chattels and control over realty, the man whom she married was held liable by the same legal system to pay her antenuptial debts, whether growing out of a wrong or otherwise; and if after marriage she committed a wrong from which damages resulted, her husband was liable to pay. If she was unable to own property, she was likewise immune from the ordinary civil liabilities which attend upon full capacity to hold title to and control the material goods of this world. If marriage was a merger of personalities, the consequences were not wholly one-sided or the advantages all to the male of the partnership. When she committed certain crimes, like burglary or larceny, the judges soon exhibited a marked tendency to presume that the acts were done under the dominating influence of the husband and excuse her on the ground of coercion. The man could plead clergy while a woman could not, since she might never become a priest; but because of this very disability the courts were liberal in giving her the benefit of this presumption when the circumstances reasonably warranted.

Unfortunately for the women who lived under the common law, that legal system refused to recognize the principle of community ownership by husband and wife, as was done in Iceland, in Norway, and in some other European countries. Under this rigid English system new ideas concerning the rights of married women in property found no room for growth; and agreements relating



The Icelandic National Costume

to property, common in Iceland during this age, as we shall see, whereby the wife's interests could be fully protected no matter what happened, were, of course, impossible. It remained for the equity courts and equity, a system separate from, though dependent upon, the common law, to span the gap which the English conscience saw between ideal justice and its practical administration under the petrified rules and procedure of English law. True, it was not until the sixteenth and seventeenth centuries that the immobile rules of the common law, governing the property rights of the wife, were really seen as unfair and unjust to married women, but, even if belated, the consciousness of wrong dawned upon the courts and due acknowledgment of that fact should be made. Equity courts began, in a limited way, to give effect to prenuptial contracts, and to protect the wife's proprietary interests through the medium of the trust.

The most approved methods of the later English system for preserving the independence of women after marriage in matters of property were well understood and in actual operation as early as the tenth and eleventh centuries in Iceland. The English equity courts permitted the wife to retain, through a prenuptial agreement with her affianced, the right of control over property during the marriage. This has been justly hailed as a long step forward in the emancipation of English women. Thus, in the sixteenth and seventeenth centuries, the women of England obtained the first taste, but withal only an incomplete enjoyment, of certain fundamental proprietary rights which her sisters in Iceland had enjoyed six hundred years earlier.

CHAPTER XV

Marriage, Home Life and Death

FREEDOM of initiative was one of the underlying principles in bringing up the young. Yet, in one respect, there was a very definite restriction upon liberty, namely, in matters of the affections. Engagement and marriage involved the family and were not deemed to be the exclusive concern of the principals themselves. It was considered reprehensible and improper for a man to pay court to a woman without the knowledge and permission of her parents, or her relatives, and it was seldom—there were exceptions—that such a courtship ended in marriage. The result usually was to create an unfavorable opinion of the girl, and to irritate or anger her relatives. The latter sought to discourage the visits of the young man, first peaceably, but later, if persuasion failed, by strenuous and summary measures. Such a suitor might be prosecuted and convicted of an offense, even if he did nothing more serious than compose a love song to his fair inamorata.

Custom was not freely disregarded. Elopements were neither convenient nor popular. The airplane, the automobile and the fast train—the great modern aids to law breakers and eloping couples—were non-existent. On the whole, it was wisest to conduct a courtship according to the rules. There were certain definite hazards connected with any other course. In this age Iceland was no place for Mr. Lothario, or Mr. Romeo; the latter would have been saved the trouble and messiness of suicide.

Marriage among the Icelandic people at this period was probably seldom founded upon love. It was an arrangement made in view of economic and family considerations, and the cohabitation as man and wife partook of the nature of an ordinary business partnership. The most important element, from the man's standpoint, was nobility of family and support of strong relatives. From the standpoint of the woman and her relatives it was essential that there be substantial equality, lest the alliance involve a lowering of her dignity or status.

When proposals were made in behalf of a man, the greatest emphasis was placed upon the family. Sometimes, scarcely less importance was attached to the economic circumstances of the young man's connections, and great wealth might, in fact, offset the want of blue blooded ancestry. Marriages were occasionally arranged upon the old principle of royal weddings in Europe, when alliances were sought between sovereigns wholly for reasons of state. Love upon either side was a relatively unimportant consideration. Marriages of this kind in Iceland brought together great and powerful families, with the result that the union added prestige to both sides. Occasionally a marriage proposal was made in order to obtain the support of chieftains of strong families in existing or anticipated quarrels, or lawsuits; and sometimes in order to end a feud and establish peace.

While love was not a necessary element in marriage, yet we find many instances where there was, at the outset, real affection between the parties. Such cases are often mentioned and were not unusual. It was, of course, not uncommon that a careful investigation was made concerning the maiden, a sort of requirement of satisfactory references before the proposal came. As a rule, young men followed the advice of their relatives in all matters, in this as well as in other things. This was natural since economic and family reasons were of the first importance.

It appears that the suitor himself was often quite indifferent and that his personal feelings or inclinations were secondary matters. Of course, it is sometimes said in the Sagas that it is desirable, perhaps diplomatic, that a young man should talk with a lady before the proposal is made, but this appears to have been a concession of courtesy, but by no means necessary, or even usual. When such meetings took place and conversations were exchanged between the principals, the report usually is that the man was well pleased, or, at least, satisfied with the lady's appearance, deportment and intelligence.

The man voluntarily left all matters concerning the proposal and the marriage largely in the hands of his relatives. Women, on the other hand, were, according to law, incapable themselves of contracting engagements of marriage and were obliged to accept the terms which the father or guardian arranged for them. The parent or guardian was free to consult or not, as he chose. We are told about instances where a father engaged his daughter to marry, without first having mentioned the matter to her, because he thought it time she married and believed he had found a suitable son-in-law.

While this course had its advantages when a parent found that a marriageable daughter had become an encumbrance, there were certain possible complications and embarrassments in the offing. A woman of spirit often protested strongly that this conduct proved that her father did not love her, and the result was double-edged disaster, trouble at home and awkward explanations to a proud and sensitive family. It was, accordingly, the usual practice, dictated by prudence, to consult the lady, to talk the matter over with her and to endeavor to persuade her to enter willingly into the partnership. In few cases were young women of good family so little beloved by their parents and relatives, as to be forced into an unwilling alliance. Instances abound where they were consulted and their wishes deferred to, although the parent felt differently. Again and again a father or guardian replies to a proposal that while he himself approves, his daughter or his ward will never be given in marriage without her consent.

When it had been decided that a certain lady was eligible for the honor of becoming a member of the family, through marriage, relatives of the man, together with the candidate himself, went on horseback to call at the home of the intended. Sometimes the party was large; indeed, it was considered important that the group be as imposing and impressive as possible. Parties of twelve or even twenty men often went upon a mission of this kind. There was another reason why numbers were desirable; it was well to have many witnesses to the marriage contract, and especially to the terms concerning property.

The fundamental term in the engagement to marry was that which defined the financial obligations of the high contracting parties. A significant clause and a compound word, suggests that matrimony was frankly, or had in earlier ages been, a commercial transaction. The terms *brudkaup* and *kaupa konu* mean literally to "purchase a wife." The amount which the prospective groom paid was definitely stipulated in advance and was called *mundr*. The prospective bride was required to pay a sum, also fixed by mutual agreement through agents or intermediaries, called *heimanfylgja,* or the dowry which the bride brings from her home. A marriage which had been consummated without payment of at least a certain minimum by the husband, could be annulled, and the children of such a union were illegitimate.

On the wedding night the money or property became the wife's own, and, according to the law, the income thereof was her separate property. In case of divorce for the misconduct of the husband, the wife could compel him to make restitution of this sum as well as of the dowry which she had brought him, of which he had charge. The *mundr,* or property which the suitor agreed to contribute to the marriage partnership, is fundamentally different from the dowry, and is probably without a complete analogy in either ancient or modern law.

Marriage contracts were, of course, far from uniform in their terms. The *mundr* might be real or personal property, or both. It was sometimes expressly agreed that the woman have sole control of the estate and be owner of a half interest in the whole, regardless of a possible separation in the future. Again, if the suitor was a man of quarrelsome disposition, unjust and overbearing in his dealings with others, the father of the girl might consent to the marriage on the condition that the young man reform, render unto all men their just dues, and obey the law, with a reservation of the right to void the marriage if any of these conditions be broken. This plan had the double merit of putting restraint upon the wild young man and of affording a legitimate avenue of escape for that misguided optimism which might lead a lady to undertake the most thankless, if not witless, of all tasks, reformation of a husband after the fact.

Sometimes the lady agreed to wait for the suitor a definite period, often made necessary when he had obligated himself to take or had planned a trip abroad. An engagement of this kind occasionally lasted three years, or more. Again, an engagement of this type was kept open although there had been no betrothal ceremony, the lady being described as the man's "promised spouse" *(heitkona)*. When all the terms had been arranged and an agreement reached, the man stood up, named witnessses to the engagement, and sealed it by a handshake with the lady's parent, guardian or legal representative, in accordance with a fixed formula. Thus had been completed the betrothal ceremony without which a marriage was not lawful in Iceland.

The wedding must, according to the law, take place within twelve months from the date of the betrothal. Usually it was celebrated within a short time thereafter—the same day, a few days, a few weeks, and occasionally a few months. Weddings were solemnized most frequently in the fall, for then it was most convenient to make the necessary preparations—very extensive, sometimes. The wedding was at the home of the bride, or of some of her relatives. Upon occasion, the very high honor was conferred on the groom and his family of permitting the nuptials to take place at his home.

The families of both parties rode throughout the neighborhood, far and near, to invite guests. It was deemed desirable that the "right" people attend the wedding feast, consequently persons of standing were sought out and asked. On the appointed day the groom, his family, and his invitees rode to the bride's home, where they were received by her family and their invited guests. At some weddings a numerous and brilliant train could be seen riding over hill and plain to do honor to the families and the principals. Weddings are described where the guests numbered from one hundred to nearly two hundred persons. Guests were invited from remote regions, especially men of high standing or position in the country. Altogether, a wedding was a great event. It was true then, no less than now, that a man was sure to come into notoriety at least three times in his earthly career, when he was born, when he married, and when he died. To this should be added, under modern conditions, a fourth; namely, when he obtains his first divorce.

According to the law of the time, a wedding was legally performed when the lady's guardian had duly pledged or affianced her, when there were no less than six men present at the wedding ceremony, and when the groom went "in *light*" (public) to bed with the bride. The requirement last mentioned, in all probability, answered the more formal court or religious ceremonial of a later date. No other specific features of the marriage rite are mentioned in the law or in the Sagas.

When it is recalled that marriages were arranged by third persons, and largely upon a commercial basis, some curiosity concerning the outcome naturally arises. In a country where one marriage out of every six, or less, ends in a divorce court in spite of the fact that it rests upon at least a theoretical foundation of love, there would be no surprise were the record in Iceland, where divorce was even easier than in the United States and love did not enter into the preliminaries, infinitely worse.

No statistics are available from the period of the Commonwealth, but the Sagas do not indicate that divorces were scandalously frequent. The percentage of separations was probably no higher than in later periods in Iceland, or at the present time in America. The inference may be amply supported that real affection followed the marriage, and passages abound where incidental mention is made of the fact that conjugal love of the finest type cast a glow of happiness over the relation of husband and wife. It is true that the Icelanders of this period did not carry their hearts upon their sleeves, and public demonstrations of love were as uncommon as they would have been foreign to the Scandinavian nature. Public show of feelings was deemed a mark of weakness rather than of strength; and, perhaps, they were aware that the "honey," "darling," and "love" of public address between the married are but "the trappings and the suits" of love, and not the sentiment itself. Unfortunately, among the married, the vocabulary of the reception room and that of the privacy of homes are different things.

Statements occur in the Sagas which show that the relations between married persons were congenial and affectionate in the highest degree. Again and again a wife was so attached to her husband that she declined to leave him, in any circumstances. In the face of attempts made by promise of wealth or threats of reprisal to win her away from her husband, she remained steadfastly loyal to the end. The wife sometimes followed her husband in outlawry, in spite of attempts to dissuade her by relatives and friends; and death itself could not part them. When Njal was burned his wife refused to leave him, although his enemies invited her to come safely from their burning home; and, again, we are told, when a husband had been slain the wife followed him shortly in death, the story saying that she died from grief. When we recall that these old Icelanders were wholly unaware of Dr. Fosdick's great, but recent discovery to the effect that the trouble is not with marriage but with the people who get married, we may be excused for marveling that they should get along even passably well. These Icelanders lived under many handicaps, when we think of our numerous advantages today. For example, the menders of marriages and the philosophers of promiscuity had not yet appeared.

The Icelandic housewife was independent and her place in the home one of high honor. Jointly with her husband, she became the head of the domestic establishment; and in the house her will was supreme. She had complete supervision over the provisions and to her keeping the keys were entrusted. Indeed, the bunch of keys was the symbol of her high position. She engaged servants, and, in common with her husband, instructed them in their duties; and she had the power to punish and forgive their shortcomings according to their deserts. In the absence or incapacity of her husband she was the responsible head of the home, in case of need, herself working with the servants. The women of the home husbanded the family resources with keen foresight when death or other emergency left them alone. When the husband was disabled from any cause, the wife sometimes went on fishing expeditions, filling his place as master of the vessel; and, when the need arose, she invoked the aid of her friends to avenge insult or death.

These women were strong-willed, extremely energetic individuals, occasionally—as in more modern times—supplanting a weaker-willed husband as the titular ruler. Their influence was not always on the side of peace and good will. They engaged in controversies, stimulated and kept alive feuds, and contrived homicides with all the violent energy of the most vindictive Viking. They were too often women of fierce and warlike dispositions, and there is no false chivalry in the Sagas seeking to gloss over the ill part they played in many a tragedy. Indeed, such women were regarded with admiration, elevated above their more mild-mannered sisters, and were described by an expressive, but untranslatable, word which implied that the individual was strikingly handsome and nobly virtuous. In one instance a woman directed the home establishment in the absence of her husband and also took his place as leader in the community; and it is said that when she conducted a lawsuit it was well done.

The traits described might easily take on the most unlovely forms. There was a tendency towards harshness, an eclipsing of the facets of female character which evoke approbation from the present age. Some of the women of the Sagas were as ready, when their wills were crossed, to put a period to human life as were their men. Instances occur in which a woman was responsible for a vendetta planned and a vendetta executed. The wife of Njal, though highly esteemed, had no aversion to bloodshed and strife; the wife of Gunnar of Leith-End was, at least in part, responsible for his death; and the slayers of the Sage of Bergthorshvol were egged on to commit arson and dastardly homicides, including helpless women and a child among the victims, by a vindictive woman, who, like Lady Macbeth, was vexed because her husband thought "so brainsickly of things."

Beyond a doubt, life with some of these Icelandic women had certain elements of risk for the husband. There might well be need for tact and diplomacy. Fortunately, the Sagas show that the law of compensation functioned opportunely; many men whose wives were of turbulent dispositions were themselves peaceably inclined and permitted their fair Tisiphones to rave while they blandly pursued the even tenor of their way. Njal, for example, always remained calm when his wife fumed; when she instigated homicides he quietly paid the penalties. The same is true of the hero Gunnar. His ungentle lady plotted deaths costly and embarrassing to her lord, but he paid the fines and settled with the interested parties upon generous terms. When she upbraided him for paying uncomplainingly, he answered that she would regulate her own conduct as she pleased, but "I shall decide how the case is settled."

Occasionally, a husband would lose his temper and slap the vixen wife. When he had the misfortune to become guilty of this stupendous folly one of two things usually happened, either he died with his shoes on at the hands of the wife's relatives or friends, or his wife divorced him. It was considered the deepest disgrace to take blows from anybody, and it was regarded an act of supreme cowardice to strike a woman. Cases are mentioned of wives who divorced their husbands because the latter had slapped them. While the malevolent spouse of the hero Gunnar did not divorce him, she never forgot the slap he administered when he surprised her in some petty larceny, and she repaid him by refusing, in the crisis of his life, the help which might have saved him. A wise man in that age did not undertake to chastise his wife. Custom, law and prudence alike condemned the act.

To pass from the red side of the ledger of their virtues, illustrations are plentiful of a different type of woman. The wife of a prominent citizen, we are told, on one memorable occasion, dissuaded her husband from sending a punitive expedition against an enemy with the result that friendship between them was reestablished and maintained ever more. The Icelandic women of this period were persons of strong character; of great energy and resolution; and if they hated royally they loved with the loyal devotion of the gods. To Olympus they would have brought a purer dignity than its fabled glory ever knew; and to mates whose destiny was the battlefield where the universal principles of good and evil would meet in mortal combat, they brought a womanhood "not impudent and mannish grown," but true, brave and virtuous.

Divorces were obtainable for reasons even less substantial than a slap or a blow. Mere incompatibility—as in some of the American states—was a sufficient ground, and the marriage ties were occasionally dissolved for that cause. At other times, when the lady's consent to the marriage had not been previously obtained, domestic life was so inharmonious that legal separations followed almost on the heels of the ceremony. Divorces were had upon the flimsiest and most frivolous of pretexts. The marriage knot was loosely tied, according to the old Icelandic law, and the slightest offense or disagreement might undo it.

Accusations or avowed suspicions of infidelity, when without cause, were, as in many American states today when mental suffering is caused thereby, sufficient ground for divorce. An examination of the records of our divorce courts discloses reasons for dissolving the marriage as tenuous as the rickety causes sometimes alleged in the tenth century in Iceland. In one case, it is true, a sufficient ground was found in a humorous stanza composed and recited in public by the wife, inspired by the ardor of the glances her husband cast in the direction of another lady. The husband, evidently cursed with the soggy mind of a man without a sense of humor and with whom it is a grave hazard to attempt the facetious, deeming it unnecessary to put up with such captious criticism, announced that he was through.

Perhaps some long-nosed scholar, with stooped shoulders and thick-lensed glasses, nine hundred years hence, rummaging through our court records and finding that in 1930 one of the reasons assigned for spiritual agony necessitating permanent separation, was failure on the part of the husband to return a lead in a game of auction bridge, may also dubiously ponder our sense of values. Sometimes the wife divorced her husband if he misbehaved in certain transactions, or failed to give sufficient support to her friends; and in an isolated instance the clothes one spouse wore were deemed unbecoming by the other and constituted a cause for separation; this, however, was seemingly unusual.

The procedure in obtaining the divorce was very simple and free from technicalities. The spouse declared the bonds severed in the presence of witnesses, and in some cases the ground for the separation was stated. Marriage seems to have been regarded as a personal contract, and misconduct by one party would release the other. In the story of Burnt Njal there is described a more formal ceremony, but divorces were infrequently obtained with such formalities. In that particular instance a lawyer conducted the case and was very careful to follow the most technical rules of procedure. Here the lawyer advised the wife, who was his own daughter, to go to the bedside with her followers, there name witnesses and declare herself legally divorced from her husband. He told her if she followed his advice the separation would be legal. She did as advised, and her father announced at Althing that the couple had been divorced.

From what has been said it may be supposed that divorces were frequent since they were so easily obtainable. Yet, it is probable that such an inference would be contrary to the facts. There was one factor calculated to suggest to both parties a course of moderation, and that was the marriage contract, and particularly its terms with reference to property. According to the old Icelandic law the husband owned two-thirds of the property of both and the wife one-third, unless by contract there was a different arrangement. It seems probable, however, that when the agreement of marriage was made there was introduced a stipulation that the property should be owned jointly, one-half interest by each.

The payment she received, ***mundr,*** was, in all probability, ordinarily her own separate property by special agreement. For these reasons the wife was thoroughly independent, as far as property was concerned, and this fact proved a powerful sedative in circumstances when the husband's temper might otherwise have been inclined to run amuck. If the husband failed to treat his wife properly, or was inconsiderate of her rights, she might divorce him and demand her share of the common (community) property. A threat on her part to do this usually had the desired effect and operated powerfully to restrain an otherwise ill-tempered husband, for most men row galley way. The wife was fully conscious of the power that her situation gave her over her spouse, and she did not always use it sparingly. Under the Icelandic system there was no such thing as economic dependence on the part of the wife. Instances are given, here and there, where threats were successfully used and a potential Petruccio became a mild mannered and tractable husband.

The wife was expected to be faithful to her husband, while the law accorded him the right to harbor a concubine, one or more, as he might choose. That the husband frequently took advantage of this legal privilege appears abundantly in the Sagas, and the fact seems not to have excited unfavorable comment. The Sagas show, as might be expected, that the concubine was not received with open arms by the wife. The disagreements were often so serious that the husband maintained his extra-legal affinity at a distant place. There has doubtless been some progress in the world in this respect, at least when the matter is viewed from a certain standpoint. Relatively, concubinage may be as commonly practiced in the United States and in Great Britain, not to mention other countries where even less improvements have been made, but there is shown a "decent respect to the opinions of mankind"—or is it merely the warden?—by endeavoring to keep the liaison secret.

Leaving out of view legalized concubinage, in the light of the law and of the Sagas, as both have come to us from this period, it seems fair to conclude that moral standards were approximately at the same level as they are in America and in England today. The chaste character of the pagan deities was in keeping with the national ideal. The Icelanders, in common with the rest of human kind, were conscious of sex, but they looked upon themselves as something more than a sex impulse strutting about. They could be individualists and feel that "nothing is really valuable except the individual character," as W. P. Ker says of them, without having heard of "self-expression," or of the modern American phenomenon whose highest concept of *man* is the sum of the ideas evoked when a performer on the vaudeville stage, or a writer in the journals of humor, mentions a fig leaf.

The literature of the period could be singularly frank in speaking of sex when naturally incidental to the principal theme, and yet be free from the sex blather which constitutes the literary staple of the news stands and some of the book stalls of 1930. Man and woman derived mutual pleasure in association in accordance with the world-old promptings of love and life, but the predominant national thought and consciousness were of other things.

Sex irregularities—an obsolete idea among the present day leaders of the movement to liberate the suppressed sex ego—these Scandinavians discouraged by providing and enforcing severe penalties; and yet they had a lively time although seemingly ignorant of the blunder their savage ancestors had made when they thought they had discovered that the welfare of the race was better served by controlled than by indiscriminate love. They still hugged the delusion that it was not entirely seemly that the sensual dominate the rational in human nature.

The pagan gods, continent though they were, could walk among their Viking followers without offense or embarrassment at what they saw; whereas, in 1930, the Man from Mars was heard to remark: "If the angel Gabriel, shock-proofed and experienced in worldly things beyond most of his angelic associates, were sent on a tour of inspection of the news stands of America, he would be completely overcome, like a rat in a sewer, by the nauseating sex and love fumes before he could pass the first row of the fiction magazines."

As is still the fact when sex irregularities exist, the greatest sufferers were the children who were born of the concupiscent union. If the advocates of virtual sex promiscuity could be made to see this, or would see it—perhaps they could see it more clearly if some magazines and a certain type of reader did not make a little blindness commercially profitable—in all its pathetic aspects, they would be less clamorous for the complete "right" of the married to disregard the injunction of the sixth commandment. The bastard has been a figure of pathos and tragedy in Norse and Anglo-Saxon jurisprudence. Without the right to inherit or to claim the protection of the parental roof, denied the natural affection which a normal parent feels for his offspring, he was looked down upon by the very society which permitted him to be thus aberrantly brought into the world. Such was his tragic position in Iceland. Fine character or superior gifts could not elevate him to the level of popular esteem in which children born in lawful wedlock were normally held.

Between parent and child there was, scarcely without exception, the deepest love. This mutual affection was founded upon respect. Father and mother early took pride in the development of the boy, extending him full confidence and trust; they recognized him as independent and capable of taking care of himself. On the other hand, the child respected his parents and willingly submitted to their authority. The story of Njal, a man who loved peace and order in all things, comes to mind. Although his sons were high spirited and sometimes quarreled among themselves, they obeyed their father. Skarphjedinn, one of his sons, was a typical Viking, strong and ever ready for the fray, yet he highly regarded his father and followed his counsels.

Njal knew that his sons might object to compromises and peaceable adjustments of rows, and he therefore excluded them from such counsels; yet he knew that once he had agreed to a settlement, they would never break it. When the attack was made on his home there was disagreement between him and his sons as to the method of defense. The bold and mighty Skarphjedinn wished to go out and fight in the open, saying that he did not want to be smothered unresisting in smoke and flames. The father objected, and when they demurred he said that they would overrule him now, although when they were young they had followed his advice. Thereupon, the boys decided to do as the father wished, and Skarphjedinn, while he believed his father was "fey," did as he desired and met death in the fire, rather than disobey. The outcome was that all perished together. In that age, the feeling between father and child was built on the enduring rock of mutual esteem. Fear had no part in it.

As has been said, the Icelanders were not sentimental persons, and yet the Sagas show that they mourned bitterly the loss of those they loved. Sometimes the cup of sorrow was rendered more bitter because the father was unable to exact prompt and adequate revenge for the death of his offspring. The poet Egil was so overwhelmed with grief over the death of his son that he took to his bed with the intention of starving himself to death. This sorrow was not relieved until he had composed the famous poem *Sonatorrek* to which reference has been made. Another instance is mentioned where a father lost a son, took to his bed and grieved for three years, emerging only from the shadow of his sorrow when revenge had been taken. The Saga says that the wine of reprisal restored his youth. It appears that, sometimes, the grief was an admixture of a real sense of loss and wounded vanity, due to the injury to the family honor implied in the killing of a son.

In the relationship of father and son the marked features were mutual respect and the duty which common blood exacts; whereas, between mother and son there was a finer and much more tender sentiment. As always, the boy's heart inclined toward the mother, and the Sagas contain numerous illustrations of this universal truth. When her son was killed his mother mourned him with a feeling which was a strange confusion of sorrow and a desire for revenge. Other ties and associations might be formed, but the love of mother and son persisted to the end.

It was customary in ancient times among the Scandinavian people, when death was anticipated, to make arrangements and give directions concerning the funeral. When Audur was old and expected to die she summoned her relatives to a splendid feast. When the celebration had continued for three nights she gave gifts to her guests, with counsels of wisdom. She then advised that the feast should continue three nights longer, saying that this second lap of celebration should be her wake. The following night she died and was buried at the place designated by her.

When a man became sick at sea, he sometimes directed that a coffin be made and cast overboard, sending a message to his son that he should establish his home in Iceland near the point where the coffin landed. Another man might give instructions that he be buried near to or up in the mountains, that he might look over the fields and the valleys below. Another was considerate enough, having been in his lifetime a great favorite with the ladies in a certain district, to direct that he be buried at a named place because he deemed that more acceptable to them. Another ordered that he be buried in the entrance to his fire house, standing upright in the door. He said that he wanted to be in a position where he could see what was going on, an interesting illustration of curiosity outliving death.

Immediately after death, the relatives of the deceased approached the body and closed the eyes and nostrils. This was a rite of importance from more than one standpoint. The old Icelandic word is *nabjargir,* meaning literally "help to the corpse." It was deemed of doubtful prudence to approach a dead man from the front for whose body this service had not been performed. It seems to have been the custom when a dead body was found in a sitting posture, to come upon it from behind, as a matter of precaution, and then perform this last rite. It appears to have been taken for granted that whosoever closed the eyes and nostrils of one who had been slain, also undertook the duty of revenge.

When a man was killed in a fight, it was the duty of the slayer to cover the remains and forthwith give notice of the homicide. If the survivor failed to report or proclaim the slaying, he would be guilty of murder, a more serious offense than slaying with subsequent notice, although the circumstances of the homicide were in all other respects the same. Here the ancient law of Iceland parts company with the common law of England, where the *intent* of the perpetrator of the homicide gave character to the deed. In Iceland it was the skulking *concealment* of the *consummated* act, not the intent with which the killing was accomplished, which made the offender guilty of murder. Behind this principle may have lain the necessity that the remains be preserved to the end that the wounds might be duly noted by witnesses; or there may be in the background the detestation of the Viking for every manifestation of meanness and cowardice. For example, theft was considered among the most contemptible of crimes because of the sneaking secrecy which accompanied the offense.

A true man moved in the open light of day, walked upright, fully conscious of his superiority over the creatures who crouched in the shadows and fearfully concealed their depredations from the gaze of men. Much could be forgiven him who was what he seemed; nothing could condone the actions of the base hypocrite who wished to seem what he was not.

When the last rites, above described, had been performed, the body was prepared for burial. These preparations were very simple. A poor man could afford to die in Iceland of this period. The undertaker, that suave, urbane but costly model of courtly manners, had not made his appearance. The body was bathed, clothed in "good garments," with a net or shawl about the head. The burial took place without delay, sometimes on the day on which the person died. Prior to Christianity wakes for the dead were not unheard of, but afterwards they became common. Occasionally the body was kept outside during the night, fully covered.

The preparation of the grave or burial mound involved substantial labor. While we have no accurate descriptions of the mounds, enough is said to justify the inference that in the heathen age they were often very large and elaborately built. Many men worked in building the mound; in one instance sixty men came to help, and in others much labor was expended to complete the work. Sometimes a mound was built of rock and earth, and sometimes of earth only. Weapons and various articles were put into the tomb with the body, including valuables which passed current as media of exchange. Favorite weapons were included, as a rule, and occasionally useful tools; they would be needed in Valhalla, as will be readily understood. Occasionally a man was interred in a ship in the mound. "Death shoes" were put on the feet for use in walking to Valhalla. The body usually lay prone, face up, although sometimes the dead were buried in a sitting posture. Robbers were not honored by burial in mounds; neither were those who practiced witchcraft. Their remains were disposed of in remote places and crudely covered with earth or stones. Graves, in the sense in which we now use the term, probably date no farther back than the introduction of Christianity, although there are hints to the contrary in some of the Sagas.

We have followed the Viking from his crude cradle until he lay in state in his burial mound. It is meet to end the scene by a reference to the common custom which laid upon surviving and competent relatives what was virtually a moral duty to celebrate his passing by an appropriate feast. Wine flowed freely, when obtainable, and joy was truly unconfined on those occasions. In one conspicuous instance the invitation to such a feast was made publicly at the Althing, and all able-bodied persons were bid welcome to celebrate for two weeks the death of Hoskuld Dala—Koll's son. Nigh a thousand guests came. The largest feast ever held in Iceland was that which the sons of Hjalti held in memory of their father, which about fourteen hundred people attended. The enormous expense and labor can well be imagined, but of this feature there is scarcely a mention. Hospitality was a godlike virtue. It was at these feasts that men resolved to do deeds of worth or valor for the glory of the family. Thus the memory of ancestral greatness became a spur, an incentive to achieve and to accomplish, and a progression of great deeds commenced at the point where the dead man stacked arms for the last time.

One stanza in Havamal sketches, in a few bold and simple strokes, the character of the Scandinavians of this and an earlier age. Freely rendered it reads: "Silent and cautious a great man is; gallant and cheerful until he dies." Here the characteristics of the Icelandic people are vividly portrayed. Reserved and taciturn in daily life, fearless in the face of difficulties, quietly and hospitably cheerful in conversation among friends, such were the men from Norway who settled Iceland and whose descendants later returned to win the favor of European kings. They knew how to live; and they early learned the more difficult art of dying like men. For them death was not a dreaded mystery; they looked the Grim Reaper in the eye without a quiver of regret or fear. "All that lives must die" was their philosophy; and beyond there awaited a more glorious adventure than any life could hold. It has been aptly said that Christianity robbed the grave of its victory and death of its sting; certainly the cruder faith of the Scandinavians of old taught them that only through glorious and honorable death could they achieve the highest honor of all, enlistment on the side of good in the war against evil.

Their attitude towards life and death suggest Socrates at the high point in his exalted career—before the Athenians in his own defense. To him death might as well be the greatest good as the greatest evil. Thetis "despised danger in comparison with disgrace," and upon being warned that fate would overtake him if he slew Hector in revenge for the death of Patroclus, he said: "Let me die next and be avenged of my enemy, rather than abide here by the beaked ships, a scorn and burden of the earth." Socrates told the Athenians that "this is a true saying." The only fear that ever entered the great philosopher's heart was "fear of doing an unrighteous or unholy thing," according to his lights. These ancient Scandinavians conceived that they had a mission in life, a position which the gods expected them to hold; and, like Socrates, they felt that "to desert . . . the post through fear of death, or any other fear," was in itself an act "denying the existence of the gods."

Again, calling to mind the words of the Greek apostle of unselfish and unterrified virtue, to do something "common or mean in the hour of danger" in order to avert it, was, in the view of the Vikings, the act of a coward who was less than man. That the light in which they walked was not in all things the light of truth, it would be worse than folly to deny; but a child of spirit, though on mischief bent, when taught to lay his course by the fixed rather than the shifting stars, gives better promise of true leadership and power than the sodden soul without inclination or capacity for good or ill. Better aggressive and capable error than supine and indifferent truth. The former may be harnessed and become the power which pushes onward the van of progress; the latter is hopeless and, like lead, unresponsive to the electric touch of vitalized environment.

Far removed in time, temperament and distance, a Latin, himself a poet of distinction, Gabriele d'Annunzio, strikes a note which must have sent echoes thundering down the corridors of Valhalla. He speaks the speech of the Vala, the philosophy of the Vikings, and lays bare the deepest vein in the ancient Scandinavian character in a single sentence which might well have been composed by the ablest Saga writer of the North. Let this renowned son of the balmy southland, where the Vikings themselves were no strangers in the days of old, write the ***Finis*** to this story:

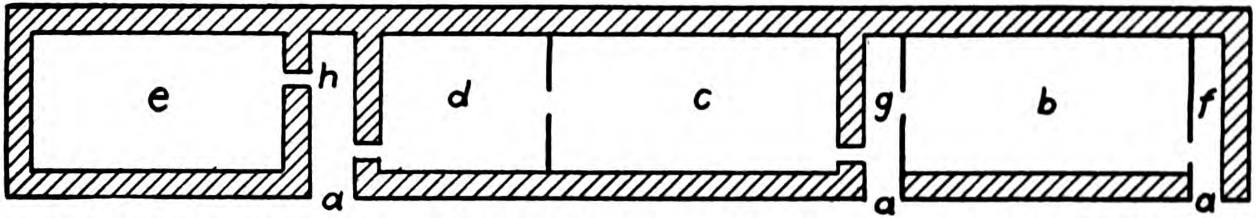
"It is not necessary to live, but to carve our names beyond that point, this is necessary."

APPENDIX A

Houses and Buildings

THE people of Iceland readily adjusted themselves to their surroundings and built their homes from materials conveniently at hand. In Norway there had been an abundance of natural timber, and houses were built of the great pine, with roofs of turf or thatch. In Iceland, on the other hand, the timber supply was limited and the trees were not nearly so large as in the mother country. The settlers were, therefore, compelled to use other materials, such as turf or rock, both of which were obtainable in abundance. This was true of the homes of the humblest yeomen as well as the more sumptuous establishments of the wealthy chieftains. The heavy timbers for the larger buildings were brought from other countries, mostly from Norway. Sometimes large timbers drifted in and were used in buildings. During this period the Icelanders went abroad frequently to obtain timbers. It was common that the kings or earls of Norway gave them license to cut trees for this purpose.

The plans of their homes were not elaborate, to begin with, although it was not long before the pioneer simplicity disappeared. The earliest plans arranged the rooms or buildings in a row, rather than in a group with connecting doors and entrances. Externally the appearance was that of one long structure, whereas it was in fact three or four buildings in one. After the year 1000 a change took place. As the buildings multiplied, outside entrances increased in number, with resulting loss of heat



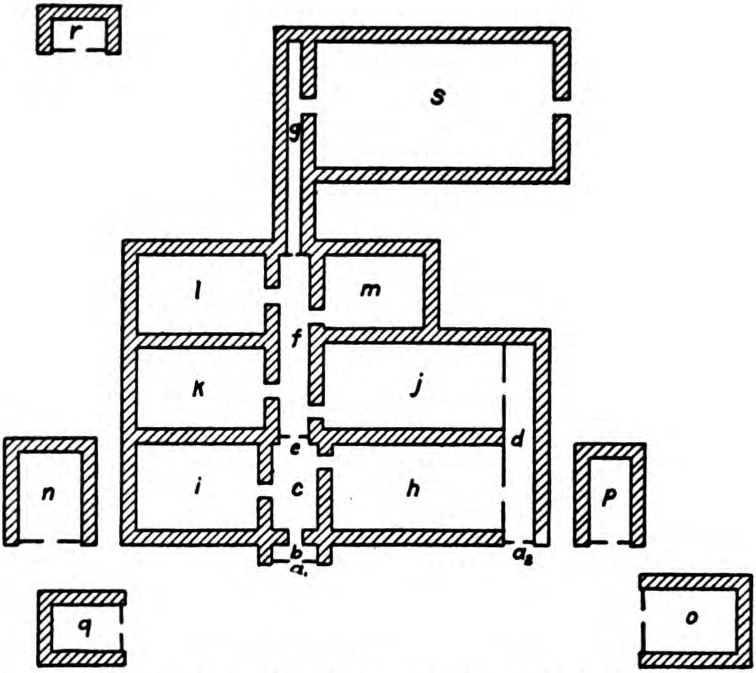
EARLIEST TYPE OF HOUSE PLAN, PROBABLY
BEFORE 1000, A. D.

a a a	Outside entrances.
b	*Stofa;* perhaps a ladies' sitting room.
c	*Skali;* sometimes used to designate a men's sitting room as distinguished from *stofa.*
d	Larder or pantry (bur).
e	The *eldhus,* or chief room (parlor), where the fire was kept up.
f g h	Antechambers.

and comfort during cold weather. Then there grew up the practice of grouping the buildings around a central hall with one outside entrance—occasionally more than one —the buildings opening on the hall.

Following the year 1000, it appears that separate sleeping quarters were commonly erected. This may have been done before, but only to a limited extent. In the dormitories the floor was of earth, with elevated platforms on each side along the walls which reached approximately two-thirds the length of the building. The timber and the woodwork inside were often artistically carved, and, in some instances, in the pagan period, they had a significance in the worship somewhat similar to the timbers which were brought from the old temples in Norway. The bedrooms, or individual sleeping places, were partitioned off, sometimes curtains of rich materials being used. The beds were filled with hay or straw. Slaves, and persons of humble degree, slept in the beds without bed clothes, other than a robe, or, perhaps, skin sleeping garments. In one part or end of the dormitory were closed rooms—sometimes only one room—which opened on the hall. In each of these rooms there was one bed, occasionally more than one. The dormitory door swung on hinges with a bolt on the inside, or it might be furnished with a curtain instead of a door. The head of the household and his favorite guests occupied these rooms. Windows, and sometimes secret exits, were provided. There might be a second story, with a stairway communicating with it.

The fire house, so-called, in the ninth and tenth centuries, was used both for cooking and for sleeping purposes. During this period the houses were usually three, the fire house being one of them. The other two were "stofa" and "bur." The fire house was built larger when



USUAL TYPE OF HOME PLAN IN THE LATTER PART OF THE SAGA AGE

a_1 Entrance to men's quarters.
a_2 Chief entrance, ornamented by *brandar,* or ships' beaks, or the like.
b Vestibule *(fordyri).*
c A sort of porch.
d Anteroom, or antechamber.
e Self-closing door.
f Hall.
g Narrow hall.
h Men's room *(skali).*
i Chief room, where the fire was kept up *(eldhus).*
j Ladies' room *(stofa).*
k Larder or pantry.
l Bathroom.
m Small parlor.
n A detached sleeping room, or or ladies' bower.
o A storehouse, or store room.
p A lady's room *(dyngja).*
q Smithy.
r Privy.
s Barn.

it was also to be used as a dormitory, and resembled the separate structures of later years. The "stofa" was a sort of a sitting or living room, while the "bur" was a pantry, larder, or place where food was prepared. It also meant a place where stores were kept, later called "skemma."

On the larger estates and among the chieftains, the women had a house of their own in which they sat and worked during the day. These were usually excavations in the ground with low walls, situated on the south of the main buildings for protection against inclement north winds. This house was a popular place, with young men who had an eye for female beauty, and with other visitors of both sexes who found ample opportunity to exchange gossip and discuss the latest community news. The place served the useful purpose of a modern sewing circle where women met, talked, and, if they had time to spare, worked, at something useful or ornamental, or neither.

Of course, many more buildings were constructed than have been described. The sources we have indicate that the settlers and their descendants lived in fairly comfortable and spacious homes; and that they built substantial structures, suffering little or no hardships from cold weather during the winter months.

APPENDIX B

Wearing Apparel

CLOTHES, especially female clothing, may be a vanishing phenomena—like legs since the advent of the automobile. The people of Iceland, however, then, as now, were forced to give real thought to their clothes. The garments worn during the Commonwealth did not differ materially from those which were common in other countries. While the plan of government and society in Iceland differed essentially from that of the rest of Europe, social life and intercourse being more pleasant and freer, the people of the Scandinavian North had a common style in wearing apparel and in weapons. Indeed, this generalization, in the main, may be extended to include the people of northern Europe.

It would serve no useful purpose to go into detail in describing the usual garments worn by the people. That there was variety is clear, but the descriptions are sketchy and somewhat indefinite. Of domestic materials the skins of tame and wild animals were in common use, such as the skin or pelt of the goat, the calf, the seal, the lamb, the cat, and the fox. All were used for the manufacture of wearing apparel. The pelt of the domestic sheep was extensively exported to other countries for use in making clothes. A sheep's pelt, with heavy and curly wool, was highly prized. Some skins were used for lining outer garments, while others were worn as throws, as furs are nowadays. The wadmal was woven cloth and was the most common material for clothing in Iceland, among rich and poor alike. The material was not uniform, either in quality or color. The poorer grades were sold for the manufacture of the cheaper grades of clothing. The better quality was used by the chieftains and by men of means. Some material was imported. One kind, rather common, was a red cloth; also other woven materials which cannot be distinctly pictured because of the vague descriptions. Silk was imported and used, but, of course, only by the wealthy. Occasionally, cotton goods are mentioned, but so seldom that we infer their use was uncommon. Of the foreign-made goods the scarlet cloth was the most popular, but never worn except by the chiefs, or the more prominent men.

There was plenty of variety in color. Underclothing was white, and the whiter the more it was valued. On the contrary, the white wadmal for outer garments was considered unconventional and suitable only for wear by slaves, the lower grades of servants, and the poorest of the common people. Grey, or a mixture of white and black, was a common color for outer garments, as was brown and yellowish brown. Wadmal, intended for use by the better classes, was dyed in various colors. It was felt that it took the shine out of a man of the better class to wear clothes of the standard colors; he should appear in the dyed cloth of his own kind, such as blue, reddish brown, yellowish brown, green, yellow, or leaf green. Grasses and herbs were used for dyes. It seems likely that a dark blue color was one of the most popular in Iceland; indeed, it was suggested that dark blue be regarded the national color during this age. Red was sometimes used, but it was considered foreign. Icelanders who had been visiting abroad sometimes took to wearing garments of red cloth, which they received as gifts. Red was considered among the flashiest of colors and to wear it steadily smacked of affectation and arrogance. It was customary to wear a gown of one color and a cloak of another.

During this period the clothes worn by men and women were apparently very similar. It seems that the same style of garment might be worn indiscriminately by men or women and that no interest or comment would be caused thereby. While styles for men and women were not uniform, the similarity was very marked. It was not until later centuries that substantial differences appeared.

It must not be supposed that no importance was attached to the style of the clothing other than the mere looks or appearance. For example, the shirts which men wore were not buttoned, but pulled over the head, after the style of some modern sweaters. However, this opening must not be too large; that is, the shirt must not be cut too low, for if it was the wife thereby had a legal ground for divorce.

Single women generally went bareheaded, with a band around the head which held the hair in position. Men also wore such a band to keep the hair in place. It was usually of some choice material, sometimes ornamented in silver and gold; and sometimes it was entirely of gold. Among the common people it was simpler, but the best material available was used. Married women wore distinct headgear which distinguished them from their unmarried sisters. This difference, the meaning of which was obvious to anyone versed in the customs of the country, may have been dictated by counsels of wisdom for the protection of the male members of society. Certainly it tended to protect them against imposition at the hands of wily females who might be disposed to take advantage of that male weakness of which the Church Fathers were so keenly conscious.

Golden hair and a fair skin were, by common consent, the outstanding attributes of beauty in both men and women. The great heroes or heroines were yellow-haired —as they seem nearly always to have been throughout the ages in other European countries. Men let their hair grow long so that it fell down over the shoulders, while in front it was sometimes cut at a level with the eyebrows. Again, the hair was combed back from the forehead, in which position it was held by a headband. It was deemed more desirable to have straight than curly hair. The hair received the best of care; it was daily combed and frequently shampooed. The women, most famed for beauty, always had an abundance of bright hair, so long sometimes that, like Godiva's, it covered the body.

APPENDIX C

Occupations

THE principal occupation of a people is largely determined by climatic and geographical conditions. In the warm islands of the South, Nature, with listless prodigality, showers upon men material goods sufficient to maintain daily life and to satisfy the wants of existence. Little effort on their part is demanded. The soil produces freely without taxing energy in cultivation, and luscious fruits abound in pleasing variety.

In the northern countries, on the other hand, where summers are shorter and winters longer, nature seems less benign. With sternness of feature goes a severity of character which seems harsh and ungenerous, for does she not put upon men the burden of earning a living through fierce and unremitting effort. Every part of the ground is important, and must be industriously cultivated. One is tempted to think that when the Lord ejected Adam and Eve from the Garden of Eden and said to them: "In the sweat of thy face shalt thou eat thy bread," he anticipated that they would take up their abode in the cold and severe regions of the North. Whom the Lord loveth, He chasteneth. He meant merely to impress upon them that bread not purchased at the price of labor and sacrifice would be without blessing in their mouths. A strong case could be made for the thesis that the sunny southlands of the world tend to indolent slothfulness, a ready indulgence in the easy and effortless life. That there is a relation between climate and civilization has been proved by the researches of Ellsworth Huntington. "The cold climate invigorates," says Emerson, and Rousseau thinks that the "inhabitants of the North are more industrious than those of the South"—probably from necessity. The severe winters, the constant toil, and the steady contest with the relentless forces of nature tend to breed a race of men tough and strong in physical fibre and of a resolute and determined spirit.

The climate and general physical conditions in Iceland today are very similar to those of the settlement period. In like manner the occupation of the people is very nearly what it was in that distant age. The main industries are fishing and farm husbandry. From this it should not be inferred that there has been no change in the relative standing or importance of these activities. Farm husbandry, during the period of settlement and for generations thereafter, was by far the most important aspect of national industry, and there was virtually no export of the products of marine enterprise. At the present time this situation is reversed and the fishing industry exceeds, in the ratio of three to one, the value of the products of the farm.

It is interesting to note that in one respect Icelandic history differs essentially from that of countries where the principal occupation was farming. In the latter, agriculture has usually been the main reliance of the people. In Iceland agriculture has never been of outstanding importance. The reasons are not far to seek. The summer season is short, and climatic conditions, on the whole, are unfavorable to varied and profitable agricultural activity. Yet, notwithstanding the handicaps, the Icelanders of the period of the Commonwealth gave successful attention, on a large scale, to cultivation of the soil. This was especially true in the southern part of the island where the climate is milder. The Sagas bear indubitable testimony to the fact that corn or barley—of what variety is not clear—was successfully produced. In the great classic, the story of Burnt Njal, among others, we find this proof. It is equally clear that this industry never attained substantial proportions and that flour or meal was one of the staples imported from other countries.

It is fairly well known that Iceland is a mountainous country, the bulk of the interior consisting of ranges of ice and rock, while the really habitable portion is a rim of land around the coast. In countries of such physical characteristics the production of livestock has been the principal support of the people. There is, usually, as it was in Iceland, an abundance of pasture and luxuriant growth of grass, especially in the foothills and on the mountain sides.

The pioneers settled in proximity to the mountainous regions, capitalizing to the full the natural advantages for the raising of livestock. It is probable that pasturing was better and the grasses richer during the first generations of settlement. The island was wooded and livestock ranged free and at large both in winter and summer. The island, when discovered, was uninhabited and the settlers had to bring from abroad the animals which afterwards overran hill and dale. It is mentioned in some of the Sagas that ships arrived loaded with live animals, doubtless for sale and propagation. In proportion to the population, which grew rapidly the first years of settlement, the number of livestock was small, but stock multiplied quickly under the influence of a free range and the excellent nourishment Nature afforded.

The rapidity with which animals increased in number is astounding, but cattle and other domesticated creatures were seemingly free from the devastating pestilences which decimate every variety of stock at the present day. Illustrations are numerous in sources of undeniable dependability. It is said, for example, that two hogs were missing for two years, but when found they had muliplied to thirty. In another case two hogs had been turned loose and were not discovered until more than three years later when they had become sixty. Another man lost ten hogs which after nearly two years had grown into a colony of one hundred and twenty.

The Sagas show that men owned stock in great numbers, rivaling the large ranch owners of the Middle West in the '80's or the '90's. Meat and milk products were necessary and staple foods, for households were large, as numerous retainers were attached to each family.

The principle of utility governed the choice of varieties, the most common being cattle, goats, hogs, sheep, and horses. Goats and hogs were raised in large numbers in every part of the island. Pork was considered a delicacy above many other kinds of food. Among the Icelanders, this unlovely creature, the pig, never was a victim of theological prejudice, for pork was listed on the menu of the gods. It was truly a divine dish.

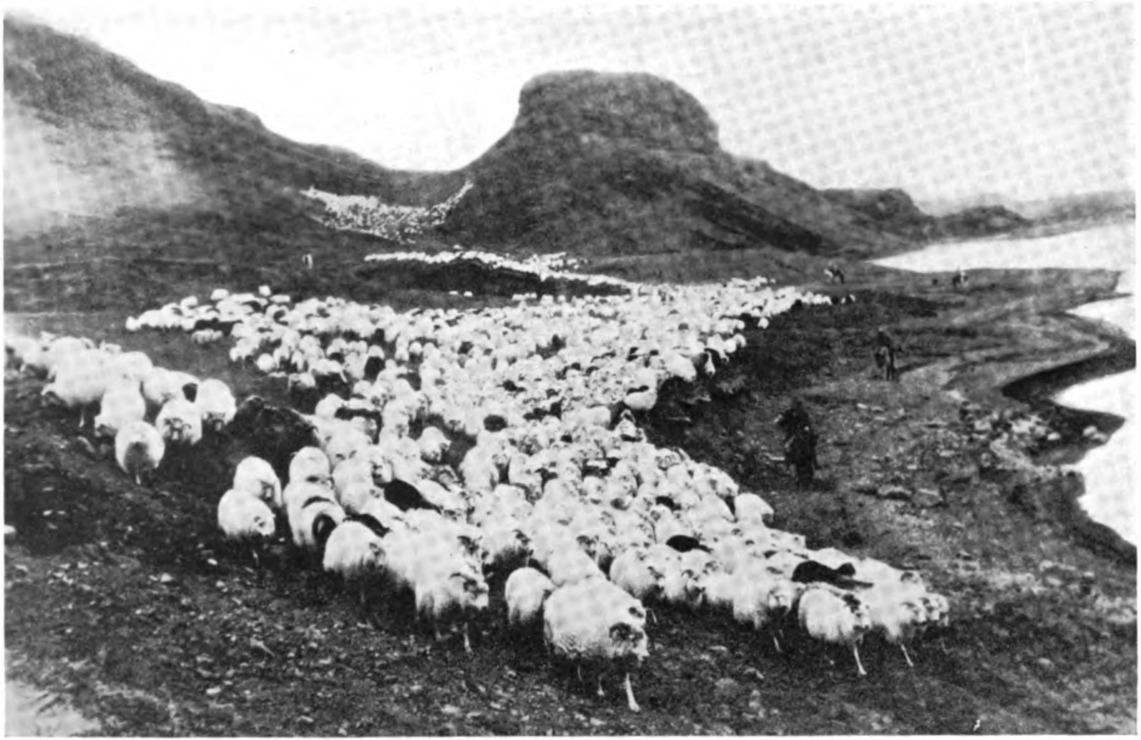
Perhaps no other animal was more highly prized or better thought of than the horse. As in all ages, it was esteemed not only as a utility, but as a companion and friend. Individuals owned horses by the hundreds, and a fine saddle horse was prized above rubies. Anecdotes illustrative of the loyalty, affection and intelligence of the horse we have without number. They were used in tournaments, in sports, as draft animals, and for riding.

Occasionally an animal of unusual excellence had been imported.

The raising of fowl, like geese and chickens, was probably more common than today. Geese were pastured and watched by herders, like livestock. The Sagas mention instances where yeomen owned large flocks of geese and goslings. The hero of Grettir the Strong was assigned the task of tending the geese, a job which he considered mean for one of his prowess and spirit. Likewise, chickens were common. One well-known character in the Sagas goes by the name of Chicken Thorir, because he was an itinerant vendor of chickens.

There has been a change in the occupation of the people since the period of the Commonwealth. Livestock was then a much more important industry than now, and every variety of the common domestic animal and fowl was raised by the pioneer settlers and their descendants. It may be doubted if the present population of Iceland is as successful in the farming industry as were their ancestors. Stock raising and farming naturally depend on soil resources which have declined, whereas reliance upon the products of the sea has increased far beyond the experience of the age of settlement.

The reasons for the change lie near the surface. The course of events parallels the history of other countries. The forebears of the present population of Iceland were in a situation advantageous by comparison with that of their present-day descendants. The land was more generously covered with forests, which afforded some protection to the stock, and enabled domestic animals to support themselves at all seasons. There was an abundance of labor at nominal cost, for slavery existed in Iceland during this period. There was no labor problem; free labor



Sheep Raising Is a Leading Industry in Iceland

could be had at low wages. However, by way of an offset to these advantages which the forefathers enjoyed, the Icelandic historian Jonsson says: "This is of much importance, and concerning it the Sagas and the old law bear abundant testimony, that our forefathers in that age were more energetic men, in most respects, than their descendants in the twentieth century. We have, it is true, progressed immensely in knowledge and understanding during the last nine centuries. We know a great many things, and even concerning husbandry, of which our forefathers knew nothing, but the one essential is forgotten and lost; we do not know how to farm as well as they did, and we do not know how to work as they did."

During the Saga period some attention was given to irrigation in order to increase the productivity of the soil. Sometimes a yeoman purchased a lake or small body of water from a neighbor, the water from which he diverted to his meadows, or hay fields. Again, two or more men owned and irrigated plots together, and it appears that such a plot of ground was extremely valuable. When fields were thus jointly owned it was arranged that one owner enjoyed the full fruits one year and the other the next. The channels of streams were dammed and the irrigation plans were made with care and skill. In the old law there are detailed provisions concerning irrigation and the rights and duties of persons with respect thereto.

The harvesting of hay in this period took place at about the same season as today. Two months were usually required to complete the work. Substantially the same implements were used and in about the same manner as now, except, of course, where machinery has replaced the old hand tools. The methods of curing and hauling hay were different. The hay was piled in large piles to dry and then hauled home on sleds, or on vehicles drawn by oxen. Sometimes three, or more, yokes of draft animals were used. In contrast with the method of baling the hay by hand and the use of the horses to carry it home, which has generally prevailed up to the present time, it would seem that the former was more efficacious. If there was a long distance from the hay field to the home the hay was stacked and hauled in winter, when sleighing was easier.

The settlers and their descendants used sleds drawn by horses and other draft animals. Sleighs were used for the transportation of persons over the hard snow or on the ice of rivers. These vehicles were drawn by horses and were covered for the comfort of the passengers.

For many years Iceland has been recognized as among the best fishing places in the world. Early in the period of settlement the country enjoyed a unique reputation in this regard. Every river was reputed to be filled with fish, and it was reported abroad that whale and salmon were abundant at all seasons of the year. We are told that in some instances fish were so plentiful and the temptation to fish was so strong that men neglected the hay harvest, with the result that livestock perished for want of feed the following winter. This illustration presents graphically the fateful struggle between fishing and farm husbandry. Success of the former brought the latter to decline. In this period farm husbandry was the main occupation, whereas it was mainly the yeomen near the seacoast who attempted fishing. Exports of marine products were negligible. What was not consumed by the farmers near the coast was sold to those living farther inland. The most popular fishing places were to the north and west of the island.

When a fishing expedition was about to be organized men came from distant places to join it, and sometimes remained during the Winter. They were usually single men from the interior, or from regions distant from the coast. Partnerships were formed, two usually associating themselves together in a boat. The vessels were small, seldom carrying more than two men with two sets of oars. The usual method of fishing was by hand lines. Women sometimes went fishing in the smaller boats. It was considered very important that there be the best and most harmonious feeling among those who went fishing, and it was deemed an ill omen and almost certain to bring bad luck or disaster if strained relations marred the association.

Communication with the outside world save by means of sailing vessels, was, of course, unknown. Consequently, good harbors were of prime importance. Riparian owners of land along the coast improved harbors near their homes and cleared them of obstructions so that a landing could be readily effected. This work must have been of real magnitude at times, because large boats and ships of good size were accommodated. Embankments were constructed and the sides and ends buttressed and ballasted with rock. Altogether, the arrangements were so made that one could embark and debark with comfort and convenience.

Other conveniences pertaining to the sea and the use thereof were places for collecting eggs, for catching seal, and for collecting jetsam. Seals were caught in nets and sometimes speared. A peculiar boat was necessary for this kind of fishing. Riparian owners of land had the right to fish in front of their property. All fishing, however, was free and open to all at a certain distance from the coast line, or rather, at a certain depth from the coast line—

beyond a point where a seal net twenty mesh deep showed the upper side at ebb tide. It was permissible to hunt a certain kind of whale—possibly walrus, though the meaning of the old Icelandic word is obscure—opposite another man's land, provided the riparian owner received one-half of the catch. From the skin of the whale good ropes were made.

Of drift, or jetsam, both of fish and wood, the old settlers made much use. In the old laws elaborate provisions are found concerning drift, which appear to have been necessary because frequently serious controversies over it arose. Whales were harpooned, each whaler having his own harpoon and being entitled to a certain share of the creature as his reward. Then there were edible sea plants, or a certain kind of seaweed and kelp, contributed by the ocean. Salt making, or salt burning, was another industry.

Fishing in the rivers for salmon and trout was more popular than fishing in the ocean. The law gave the riparian owner the right to fish in the river opposite his land. There were strict prohibitions concerning obstructions or dams in streams; indeed, they were not permitted unless no individual other than the one who built the dam was affected. There is some evidence that an attempt was made to stock waters with fish, but with what success is not clear, although in at least one instance a barren stream was completely and successfully stocked.

The industries, other than farm husbandry to which reference has been made, were rather simple during the period of the Commonwealth. It is asserted by the historian Jonsson that the wool industry was at that time much more generally carried on than today. Little or no wool was exported until it had been manufactured into cloth of some kind. There was a certain kind of cloth, *wadmal,* which was the principal product of wool, and it was common through the Scandinavian North, being used for everyday clothes, and for tents and sails. A better quality was also made. The *wadmal* was manufactured from the wool as it came from the animal and was white, black or brown. Sometimes the cloth was dyed reddish brown, or in other colors, the dyes being made from moss and grasses found in the hills and mountains. Tents and sails were woven in variety, and with some artistic skill; they were so highly prized as to be considered suitable gifts for princes and kings.

Work in wood and metals was general. There is little evidence that useful articles manufactured from wood were imported during this period. Certain weapons, such as swords, were frequently imported. Iron was made from swamp ore. This was probably hematite. Some very skillful smiths and workers in iron are mentioned in the Sagas. Skallagrim, father of the poet Egil, was an expert smith. Stones were used for anvils. One skillful artisan erected a bridge on his place from his home to the church. It was so constructed that bells, under the timbers which supported it, rang whenever anybody walked across it and the tinkling could be heard for miles.

The remains of one of these famous smithies were discovered during excavations in 1883. Ruins have been exhumed which show that a sort of rude smelting process was understood and in use by the Icelanders. The channel through which the liquid metal flowed into the main part of the smithy was found. The stones in the ruins bore evidence of having been subjected to intense heat; and large heaps or hills of coal ashes and slag were nearby. The site was clearly that of a foundry, or something akin to a smelting establishment. Other ruins point to extensive work in iron, and possibly other metals. There was real demand for this kind of work. Swords, spears and all sorts of weapons, made of iron and steel, were popular. Certain individuals enjoyed a national reputation for skill in this field; and some were skillful carvers in wood as well. Indeed, models from this period have gained popularity in Scandinavian countries within recent times. The houses in which the people lived were often embellished by woodwork exquisitely carved.

Of work in silver and gold less is known, although we are assured that it was practiced. The people were fond of decoration in jewelry as well as in dress; and they delighted in ornaments of silver, gold and precious stones, and in bracelets, belts, pendants, and the like.

The view has gained wide currency, not only in Iceland, but in other parts of the world, in fact, wherever any information concerning this island exists, that the Icelandic people, during the Saga age, spent the major portion of their lives in piracy, warlike expeditions and homicides; that when they were not thus engaged they were feasting, or parading in gorgeous raiment at Things or other meetings, or indulging in sports of various kinds. There is some justification for this opinion because a superficial reading of the Sagas gives the impression that these were the major interests in the life of the nation. That this impression is erroneous and without foundation in fact becomes obvious when the available sources are closely and carefully scrutinized.

It would have been impossible for the Icelanders to organize their marine expeditions, or to maintain themselves at home and abroad in the magnificent state which the Sagas describe, without material resources, but these were not available save through hard work and sacrifice.

Iceland was barren when settled, except for a certain fertility in the soil around the coast. When the pioneers left Norway they came with little or no property. Their most valued possession, the family homestead, they, perforce, left behind. They took with them only the simplest things, for the vessels were not fit for the transportation of bulky articles. When they arrived they had little capital to start with other than strength, industry, and a determination to reestablish themselves in their new home. Many became comparatively wealthy, but it goes without saying that in the circumstances in which they lived, a substantial fortune could not be accumulated without labor. While the fact is never emphasized, simple statements here and there convince us that the men who succeeded in amassing property and in becoming materially independent, were those, and those only, who applied without stint organizing ability and steady labor to the task. In Iceland of this period no man who came there with nothing could live and prosper if he was afraid of hard work.

It was as true then as it is now that the successful men, the leaders of the people, whom the community held in the highest esteem, were men who played hard when they played and worked with determination and energy when work was the order of the hour. Many examples might be given. The father of Egil the poet was of a distinguished yeoman family. He had a large following of men and energetically prosecuted every enterprise calculated to augment his estate and add to his fortune. It was necessary to have sufficient food supplies for his followers, but neither could be obtained without hard work. He had several places or establishments on the land which he had taken as a pioneer settler; he organized fishing, egg, and seal fishing expeditions, and, indeed, made use of every possible opportunity to accumulate the material means necessary to comfortable living. He cultivated barley at different places; and his livestock ranged in the hills and valleys. So vast was his estate and so varied the property interests involved that the whole could not be managed without the most careful supervision and the most industrious efforts to capitalize fully the resources of nature and of labor at his command. He himself is described as industrious and a steady worker. He built ships and worked in iron. His men sometimes complained that he rose too early in the morning to begin work. When his son became old enough he took charge of certain parts of the estate and labored as industriously as his father.

The Sagas mention the names of individuals, able, respectable, and well-to-do, all of whom worked with steady and consistent energy; and some of them worked with their own slaves and servants. They went in the fishing boats; they insisted that men work from sunrise to sunset; and some required their workmen to haul the hay in the night time when the moon was high. The hero of the story of Burnt Njal, Gunnar, of Leith-end, himself worked in his field, and Hoskuld had been abroad at sunrise the day he was attacked and killed. When the leader of the feudists who killed him left home on the fateful day he gave instructions to his men in detail about the work they should do on his estate while he was gone.

The children of the best people were assigned tasks for which they were held accountable at an early age, thereby cultivating a feeling of responsibility and industry. It is told of Gudmund the Rich, a well-known person in this period, that he personally superintended the work on his estate, that he went from place to place and closely observed the manner in which his men labored; and that although he was famous for entertaining the sons of the prominent men and sometimes maintained them in a splendid state of idleness, nevertheless these sons of the wealthy and the noble were, on occasion, required to work just like others.

Women worked both within and without the home. There was no reluctance to do their share in keeping up the family establishment. They did such work as was at hand and needed to be done. There was no sentiment among the pioneers of either sex, whether wealthy or not, that labor was not a dignified and honorable thing.

It may be conclusively demonstrated that the settlers of Iceland were neither lazy nor shiftless; and that they did not spend most of their time in idleness, in playing games, or in organizing and conducting piratical expeditions. Although they embraced the faith of the Asas and had known nothing of the civilizing touch of Christianity, the great law of life "in the sweat of thy face shalt thou eat bread," if you eat it at all, operated inexorably among them. They were neither ashamed nor reluctant to bow to that decree. Their own welfare and that of their children depended upon the respect they showed it.

Nature responds willingly to the touch of labor and the worker's reward is bread, while the idler receives at her hands a stone. The ancient poetry emphasizes the great respect of the Scandinavians for labor. They felt that it elevated man, put upon him the mark of royalty, awakened in him independence, ambition, and a resolution to succeed in things material and spiritual. The learned historian Jonsson says that "sloth, idleness and shiftlessness have laid waste more estates in Iceland than volcanic eruptions and earthquakes combined." This is a strong statement, for history shows that the island has suffered greatly from fire and quake. That he speaks the sentiment of his Scandinavian ancestry when he says that the fundamental requirement of prosperity is work, is clear to the reader of the Sagas. The primary conditions of progress and prosperity are intelligence, the will to work and a recognition of the true value of toil.

APPENDIX D

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